

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 2, 2021

Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-105
Austin, Texas 78711-3087

Subject: **TCEQ Docket No. 2020-0306-WR**; Consideration of Application No. 13488 by Aethon Energy Operating, LLC, for a Temporary Water Use Permit in Nacogdoches County.

Dear Ms. Gharis:

Enclosed for filing is an electronic copy of the Executive Director's Response to Hearing Requests as backup material for the **July 28, 2021 agenda** item on the above-referenced matter.

Please let me know if you have any questions. I can be reached at my office number, 512-239-6635.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Ruth A. Takeda".

Ruth Takeda, Staff Attorney - Environmental Law Division

Cc: Mailing List

TCEQ DOCKET NO. 2021-0306-WR

APPLICATION NO. 13488 BY	§	BEFORE THE TEXAS
AETHON ENERGY OPERATING, LLC	§	
FOR A TEMPORARY WATER USE	§	COMMISSION ON
PERMIT IN NACOGDOCHES COUNTY,	§	
TEXAS	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) respectfully submits this response to the hearing requests filed regarding Application No. 13488 by Aethon Energy Operating, LLC (Applicant) for a temporary water use permit. Eighteen hearing requests were received:

1. Nancy Breen
2. Camille Carter
3. Ronald E. Gibson
4. Anne Keehnen
5. Ralph LaRue
6. Susie Lower
7. Vicki Lunell
8. Aloma Marquis
9. Cathy Michaels
10. Edward Michaels
11. Nancy R. Niehaus
12. Chris and Sharon Ninness
13. Kathy Redman
14. Allen and Joan Richman
15. Marilyn Richardson
16. Robin and Marilyn Rumph
17. Stephen Russell
18. Sally C. Sowell

None of the hearing requestors holds a water right authorization. One requestor, Susie Lower, is located on a different watercourse. All other requestors are not riparian landowners.

The Executive Director recommends granting the application because sufficient water is available in the Neches River Basin to meet the Applicant's request, and has prepared a proposed draft permit that includes special conditions. One special condition, discussed below, prohibits diversion under this permit if the Applicant is diverting under any other temporary permit granted to the Applicant above Lake Sam Rayburn.

The Executive Director recommends denying the hearing requests. Some hearing requestors base their affected person status on interests in recreational use. Recreational impact alone has generally been held as insufficient to confer standing. See *Save Our Springs Alliance, Inc. v. City of Dripping Springs*, 304 S.W.3d 871 (Tex.

App. – Austin 2010, pet. dism'd). Aesthetic interest alone is also insufficient. *Id.* One requestor raises economic interest. Economic interest is insufficient unless there is a nexus to the watercourse at issue. See *In the Matter of the Application by Guadalupe-Blanco River Authority*, Permit No. 12378, TCEQ Docket No. 2014-1658-WR, SOAH Docket No. 582-15-2477.

Staff has prepared a map, Attachment A, showing the location of the Applicant's proposed water right in Nacogdoches County. The map also shows the location of all requestors except Camille Carter, who provided an address in Houston as noted on the map legend.

I. BACKGROUND

The Applicant requests a temporary water use permit to divert a maximum of 3,351.2 acre-feet of water within a three-year period from a point on the Attoyac River within the Neches River Basin at a maximum rate of 8.42 cubic feet per second (3,780 gallons per minute) for mining purposes in Nacogdoches County.

The Applicant has filed other applications for temporary permits in the Neches River Basin. The requestors refer to two of them in their hearing requests, which were all filed in 2018.

One application was filed in August 2017. Application No. 13418 sought authorization to divert 2,706.8 acre-feet per year within a three-year period from a diversion point on Ayish Bayou/ Bland Lake, a tributary of the Angelina River, a tributary of the Neches River, in San Augustine County. The application was protested and was reviewed at agenda on March 27, 2019. All hearing requests were denied. There were six timely requests and two untimely and all eight requestors also filed hearing requests for 13487 and 13488. Permit 13418 was signed on April 1, 2019, and mailed on April 2, 2019.

Another application was filed in May 2018. Application No. 13487 seeks authorization to divert 3,351.2 acre-feet per year within a three-year period from a diversion point on the Attoyac River for mining purposes in Nacogdoches County. The application was protested and is on this agenda.

The draft permit for this application includes Special Condition No. 3.F., which prohibits the Applicant from diverting water under the permit when diversions are occurring under any other temporary permit granted to the Applicant above Lake San Rayburn. This Special Condition is included because the Executive Director determined that the Applicant's requested diversions, in combination with diversions under Applicant's other temporary permits in the area, would not be available on a fully reliable basis without affecting senior water rights if diversions were to occur simultaneously.

II. PROCEDURAL HISTORY

The Commission received this application on March 23, 2018. The application was declared administratively complete on September 24, 2018.

Notice of this application was mailed by the Commission's Chief Clerk on September 25, 2020, to downstream water right holders of record in the Neches River Basin. The hearing request period for this application closed on October 13, 2020. No requests were received during this time period. The agency received hearing requests specifically protesting this application in 2018, when Application No. 13418 was protested.

No public meeting was held.

III. LEGAL AUTHORITY

Pursuant to 30 Tex. Admin. Code § 55.251(a), the following may request a contested case hearing on water rights applications: the Commission, the Executive Director; the applicant; and affected persons when authorized by law.

Affected persons are authorized to submit hearing requests for water rights applications under Tex. Water Code § 11.132(a). The Commission, on the request of any affected person, shall hold a hearing on a water rights application. Id. The procedures for determining whether a hearing requestor is an affected person and whether the hearing request is valid are set forth in 30 Tex. Admin. Code §§ 55.250-55.256, which apply to water rights applications such as this one that were declared administratively complete after September 1, 1999.

An affected person is "one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application." 30 Tex. Admin. Code § 55.256(a). An interest "common to members of the general public" does not qualify as a personal justiciable interest. Id.

Governmental entities with authority under state law over issues contemplated by the application may be considered affected persons. 30 Tex. Admin. Code § 55.256(b). *See* 30 Tex. Admin. Code § 55.103.

To determine whether a hearing requestor is an affected person, all relevant factors must be considered. 30 Tex. § 55.256(c). These factors include, but are not limited to:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;
- (2) distance restrictions or other limitations imposed by law on the affected interest;
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) likely impact of the regulated activity on the health, safety, and use of property of the person;
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and

- (6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

A hearing request by a group or association must meet the requirements set forth in 30 Tex. Admin. Code § 55.252(a). There are three requirements. First, one or more members of the group or association would otherwise have standing to request a hearing in their own right. Second, the interests that the group or association seeks to protect must be germane to its purpose. Third, neither the claim asserted nor the relief requested by the group or association requires participation of the individual member(s) in the case.

A hearing request must substantially comply with the four requirements set forth in 30 Tex. Admin. Code § 55.251(c):

- (1) give the name, address, and daytime telephone number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number and, where possible, fax number, who shall be responsible for receiving all official communications and documents for the group.
- (2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the activity that is the subject of the application and how and why the requestor believes he or she will be affected by the activity in a manner not common to members of the general public;
- (3) request a contested case hearing; and
- (4) provide any other information specified in the public notice of application.

The request for a contested case hearing must be filed with the Commission's Chief Clerk within the time period specified in the notice. 30 Tex. Admin. Code § 55.251(d).

The Commission must grant a request for a contested case hearing made by an affected person if the request complies with the requirements of 30 Tex. Admin. Code § 55.251; is timely filed with the Chief Clerk; and is pursuant to a right to hearing authorized by law. 30 Tex. Admin Code § 55.255(b)(2).

IV. HEARING REQUESTS AND RECOMMENDATIONS

1. Nancy Breen

The requestor states that the permits will draw almost a billion gallons of water from the Attoyac Bayou. She indicates that her ability to canoe, fish, and enjoy the scenic beauty of the Attoyac River will be negatively impacted if the temporary permits are issued. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the phrase “ability to” indicates that the requestor may not actually use the river for recreation. Even if the requestor currently utilizes the river for recreational purposes, recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request is not a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

2. Camille Carter

The requestor states that she’s afraid the proposed permit will affect her recreational activities in Lake Sam Rayburn, such as fishing and swimming. She does not indicate that she holds a water right, and the TCEQ’s records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the requestor is located in Houston and acknowledges that the Attoyac River flows into Lake Sam Rayburn. Recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request is not a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

3. Ronald E. Gibson

The request is for a “public hearing” which may be interpreted as meaning a contested case hearing.

The requestor states that a billion plus gallons of water is an unreasonable amount during drought and time periods with hot temperatures; withdrawing any amount of water for fracking purposes causes irreparable damage to the environment; underground water sources can become permanently contaminated by the injection of toxic chemicals; local citizens will not benefit; and the only economic beneficiary is a Dallas company with its proposed theft of East Texas water. He does not indicate that he holds a water right and the TCEQ’s records do not contain a water right under his name.

The request does not comply with 30 Tex. Admin. Code § 55.251 because it does not identify a personal justiciable interest, required under 30 Tex. Admin. Code § 55.251(c)(2). The Executive Director therefore recommends that the request be denied.

4. Anne Keehnen

The requestor expresses concern about the combined amount of water described as being over a billion gallons of water; states that she lives in and owns property in Nacogdoches County; indicates that she and her family use and enjoy all the waterways of East Texas, including plants and wildlife; and states that the health and well-being of their local environment is critical in her role as a public school teacher, Girl Scout Leader, and religion teacher. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The request provides no information about whether or how the requestor specifically uses and enjoys the Attoyac River. Any potential impacts to the requestor's teaching, both secular and religious, and to her role as a Girl Scout Leader appear to be impacts common to members of the general public.

The Executive Director concludes that the interests identified in the request do not constitute personal justiciable interests when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

5. Ralph LaRue

The requestor states that he opposes the request by Dallas Oil to draw water from the Attoyac Bayou. He does not indicate that he holds a water right, and the TCEQ's records do not contain a water right under his name.

The request does not comply with 30 Tex. Admin. Code § 55.251 because it does not identify a personal justiciable interest, required under 30 Tex. Admin. Code § 55.251(c)(2). The Executive Director therefore recommends that the request be denied.

6. Susie Lower

The requestor expresses concern about the amount of water requested by the Applicant; indicates that the Attoyac Bayou and its watershed is a precious water resource for East Texas because of the recreational activities it affords and the bottomland woodland habitat it sustains; opposes use of the water for fracking; and opposes use of public resources by private industry. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

Mapping indicates that the requestor is located on a different watercourse.

The request does not comply with 30 Tex. Admin. Code § 55.251 because it does not identify a personal justiciable interest, required under 30 Tex. Admin. Code § 55.251(c)(2). The Executive Director therefore recommends that the request be denied.

7. Vicki Lunell

The requestor states that she lives in Nacogdoches County and recreates on Lake Sam Rayburn. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director acknowledges that the Attoyac River flows into Lake Sam Rayburn. However, recreational interest alone is generally insufficient to establish affected person status.

The Executive concludes that the interest identified in the request is not a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

8. Aloma Marquis

The requestor states that the withdrawal of a billion gallons of water from the Attoyac River will adversely affect her ability to use the river for recreational and/or artistic purposes. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the phrase "ability to" indicates that the requestor may not actually use the river for recreation or artistic purposes. Even if the requestor currently utilizes the river for such purposes, recreational or artistic/ aesthetic interests alone are generally insufficient to establish affected person status.

The Executive Director concludes that the interests identified in the request do not constitute personal justiciable interests when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

9. Cathy Michaels

The requestor expresses concern about the amount of water requested by the Applicant; disapproves a Dallas company taking East Texas water for a private enterprise; indicates that the Attoyac Bayou is not very deep at the point identified for diversion of water; believes that the amount of water taken would have an impact on the health of the river and the organisms that live in it; states that, once withdrawn, the water cannot be returned because of the dangerous chemicals used in the fracking process; and states that the area is currently experiencing a drought, therefore the site is not a good choice from which to withdraw water. She states that she will be personally affected if the application is granted because she lives in Nacogdoches County and her ability to canoe, fish, and enjoy the beauty and wildlife of the Attoyac River will be negatively impacted. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the phrase “ability to” indicates that the requestor may not actually use the river for recreation or artistic purposes. Even if the requestor currently utilizes the river for such purposes, recreational or artistic/ aesthetic interests alone are generally insufficient to establish affected person status.

The Executive Director concludes that the interests identified in the request do not constitute personal justiciable interests when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

10. Edward Michaels

The requestor expresses concern about the amount of water requested by the Applicant; disapproves a Dallas company taking East Texas water for a private enterprise; indicates that the Attoyac Bayou is not very deep at the point identified for diversion of water; believes that the amount of water taken would have an impact on the health of the river and the organisms that live in it; states that, once withdrawn, the water cannot be returned because of the dangerous chemicals used in the fracking process; and states that the area is currently experiencing a drought, therefore the site is not a good choice from which to withdraw water. He states that he will be personally affected if the application is granted because he lives in Nacogdoches County and his ability to canoe, fish, and enjoy the beauty and wildlife of the Attoyac River will be negatively impacted. He does not indicate that he holds a water right, and the TCEQ's records do not contain a water right under his name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the phrase “ability to” indicates that the requestor may not actually use the river for recreation or artistic/ aesthetic purposes. Even if the requestor currently utilizes the river for such purposes, recreational or artistic/ aesthetic interests alone are generally insufficient to establish affected person status.

The Executive Director concludes that the interests identified in the request do not constitute personal justiciable interests when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

11. Nancy R. Niehaus

The requestor states that she wants to use this body of water for recreational use. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that the phrase “wants to” indicates that the requestor may not actually use the river for recreation. Even if the requestor utilizes the river for

such a purpose, recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

12. Chris and Sharon Ninness

The requestors express concerns about the amount of water requested by the Applicant, described as over a billion gallons over a three year period. The requestors provide background information about the Attoyac Bayou watershed; indicate that the bayou provides critical water resources to wildlife, livestock, pets, and humans; state that a large amount of water withdrawn from the bayou will result in wildlife, livestock, and pets dying, and the inability of farmers to grow crops as well as the inability for people to engage in recreational activities and enjoy the beauty of nature.

The requestors state that their ability to canoe and fish on the Attoyac Bayou as well as to camp and bike near this bayou will be negatively impacted, and that their ability to enjoy the scenic beauty of the bayou as well as the surrounding wildlife will also be negatively impacted. They also state that they canoe and fish in the bayou. They do not indicate that they hold a water right, and the TCEQ's records do not contain a water right under either name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that recreational and artistic/ aesthetic interests alone are generally insufficient to establish affected person status.

The Executive Director concludes that the interests identified in the request do not constitute personal justiciable interests when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

13. Kathy Redman

The requestor states that she resides close to the Attoyac River. She expresses concerns about the shallow depth of the Attoyac at the Applicant's proposed diversion sites; the amount of water requested, described as close to one billion gallons; and states that her ability to enjoy recreation on the Attoyac River – fishing, canoeing, etc. – will be negatively impacted.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

Mapping indicates that the requestor is located approximately 7.8 miles from the Applicant's proposed diversion point. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The Executive Director notes that the phrase "ability to" indicates that the requestor

may not actually use the river for recreation. Even if the requestor currently utilizes the river for recreational purposes, recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

14. Marilyn Richardson

The requestor states that she is a landowner in Nacogdoches; notes that the area has experienced years of drought in the past; that the river flows into Sam Rayburn, where she enjoys going to enjoy the lake. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes that recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

15. Allen and Joan Richman

Mr. Richman states that he has lived in Nacogdoches County for most of his life and raised his family there; expresses concern about the impact on the area's reserve water supply if the water requested, described as a "huge amount," is permitted; notes drought in East Texas; and asks that the people in the area, commercial animals and fish, and wildlife be protected. Neither indicates that they hold a water right, and the TCEQ's records do not contain a water right under either name.

The request does not comply with 30 Tex. Admin. Code § 55.251 because it does not identify a personal justiciable interest, required under 30 Tex. Admin. Code § 55.251(c)(2). The Executive Director therefore recommends that the request be denied.

16. Marilyn and Robin Rumph

The requestors state that the permits will adversely affect their recreational activities. Neither indicates that they hold a water right, and the TCEQ's records do not contain a water right under either name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The Executive Director notes recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

17. Stephen Russell

The requestor states that he lives on Lake Sam Rayburn and is concerned that his rental business will be directly affected by water withdrawals from the lake's watershed. He does not indicate that he holds a water right, and the TCEQ's records do not contain a water right under his name

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

The requestor is located in Broadus, which is approximately 26 miles from the proposed permit site.

The Executive Director notes that economic interest alone is generally insufficient to establish affected person status. The information provided is too vague to constitute a business economic interest that would support a determination of affected person status for this application. In addition, the distance between the proposed diversion point and the requestor's property is too great to demonstrate that the requestor's asserted economic interest is affected by the application.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

18. Sally Sowell

The requestor identifies herself as an environmental biologist and a Texas B B Operator; she expresses concern about the amount of water requested by the Applicant; indicates that the Attoyac Bayou is not very deep at the point identified for diversion of water; states that, once withdrawn, the water cannot be returned because of the chemicals used in the fracking process; states that the area is currently experiencing a drought; indicates that the site is already on the list of contaminated waters, so increased concentrations will occur if the draw down is allowed; and states that she will be personally affected if the application is granted because she lives in Nacogdoches County very close to the site and her ability to canoe, fish, and enjoy the beauty and wildlife of the Attoyac River will be negatively impacted. She does not indicate that she holds a water right, and the TCEQ's records do not contain a water right under her name.

The request substantially complies with the requirements of 30 Tex. Admin. Code § 55.251.

Mapping indicates that the requestor is located approximately 8.1 miles from the Applicant's proposed diversion point.

The Executive Director notes that the phrase "ability to" indicates that the requestor

may not actually use the river for recreation. Even if the requestor currently utilizes the river for such a purpose, recreational interest alone is generally insufficient to establish affected person status.

The Executive Director concludes that the interest identified in the request does not constitute a personal justiciable interest when analyzed under 30 Tex. Admin. Code § 55.256, therefore recommends that the request be denied.

V. CONCLUSION

The Executive Director respectfully recommends denying all hearing requests on this application because the requestors have not established that they are affected persons. The requestors do not hold water rights or own property on the state watercourse that is the subject of this application. They claim recreational, aesthetic or economic interests that do not constitute personal justiciable interests in the context of this application.

The Executive Director also recommends issuing the proposed draft permit.

Respectfully submitted,

Toby Baker
Executive Director

Erin C. Chancellor, Director
Office of Legal Services

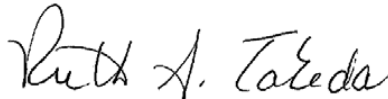
Robert Martinez, Deputy Director
Environmental Law Division

by 

Ruth Ann Takeda
State Bar of Texas No. 24053592
Environmental Law Division, MC 173
P.O. Box 13087
Austin, Texas 78711-3087
(512) 239-0463
(512) 239-0606 (FAX)
ruth.takeda@tceq.texas.gov

CERTIFICATE OF SERVICE

I certify that on the 2nd day of July 2021, the foregoing *Executive Director's Response to Hearing Requests* was filed with the Chief Clerk of the Texas Commission on Environmental Quality in Austin, Texas, and that a true and correct copy was delivered as indicated to the persons on the attached Mailing List.

A handwritten signature in cursive script, reading "Ruth A. Takeda", is written over a horizontal line.

Ruth Ann Takeda, Staff Attorney
Environmental Law Division
Texas Commission on Environmental Quality

Mailing List
Aethon Energy Operating LLC, Application No. WRTP 13488
TCEQ Docket No. 2021-0306-WR

APPLICANT

Via electronic mail and first-class mail

Janna Loepky
Sphere 3 Environmental, Inc.
1501 Bill Owens Parkway
Longview, Texas 75604
PH. 903-297-4673
FAX 903-297-4675
loepky@sphere3env.com

OFFICE OF THE CHIEF CLERK

Via electronic filing

Laurie Gharis
TCEQ Office of Chief Clerk
P.O. Box 13087 MC-105
Austin, Texas 78711-3087
12100 Park 35 Circle Bldg F
Austin, Texas 78753
PH. 512-239-3300
FAX 512-239-3311

**OFFICE OF PUBLIC INTEREST
COUNSEL**

Via electronic mail

Eli Martinez
TCEQ Office of Public Interest Counsel
P.O. Box 13087 MC-103
Austin, Texas 78711-3087
12100 Park 35 Circle Bldg F
Austin TX 78753
PH. 512-239-3974
FAX 512-239-6377
Eli.Martinez@tceq.texas.gov

ALTERNATIVE DISPUTE RESOLUTION

Via electronic mail

Kyle Lucas
TCEQ Alternative Dispute Resolution
P.O. Box 13087 MC-222
Austin, Texas 78711-3087
12100 Park 35 Circle Bldg F
Austin TX 78753
PH. 512-239-0687
FAX 512-239-4015
Kyle.Lucas@tceq.texas.gov

EXECUTIVE DIRECTOR

EXTERNAL RELATIONS

Via electronic mail

Ryan Vise, Director
TCEQ Public Relations Division
Public Education Program
P.O. Box 13087 MC-108
Austin, Texas 78711-3087
12100 Park 35 Circle Bldg F
Austin TX 78753
PH. 512-239-4000
FAX 512-239-5678
Ryan.Vise@tceq.texas.gov

HEARING REQUESTORS

Via first-class mail

Nancy Breen
605 Norma St
Nacogdoches TX 75965-1944

Camille Carter
14670-C Perthshire Rd
Houston TX 77079-7688

Ronald E. Gibson
261 County Road 2221
Nacogdoches TX, 75965-4813

Anne Keehnen
609 E. Hospital St.
Nacogdoches TX 75961-5255

Ralph LaRue
524 Oakview Dr
Nacogdoches TX 75965-1221

Susie Lower
219 County Road 2056
Nacogdoches TX 75965-1070

Vicki Lunell
922 W. Cox St.
Nacogdoches TX 75964-5011

Aloma Marquis
810 1/2 N. Mound St. #4
Nacogdoches TX 75961-4444

Cathy Michaels
P.O. Box 6192
Nacogdoches TX 75962-0001

Edward Michaels
10780 FM 1878
Nacogdoches TX 75961-1003

Nancy R. Niehaus
3900 Redwood Dr.
Nacogdoches TX 75965-6534

Chris and Nancy Ninness
2207 Pinecrest Dr.
Nacogdoches TX 75965-3604

Kathy Redman
255 County Road 335
Nacogdoches TX 75961-0474

Marilyn Richardson
203 E. Parker Rd.
Nacogdoches TX 75965-2584

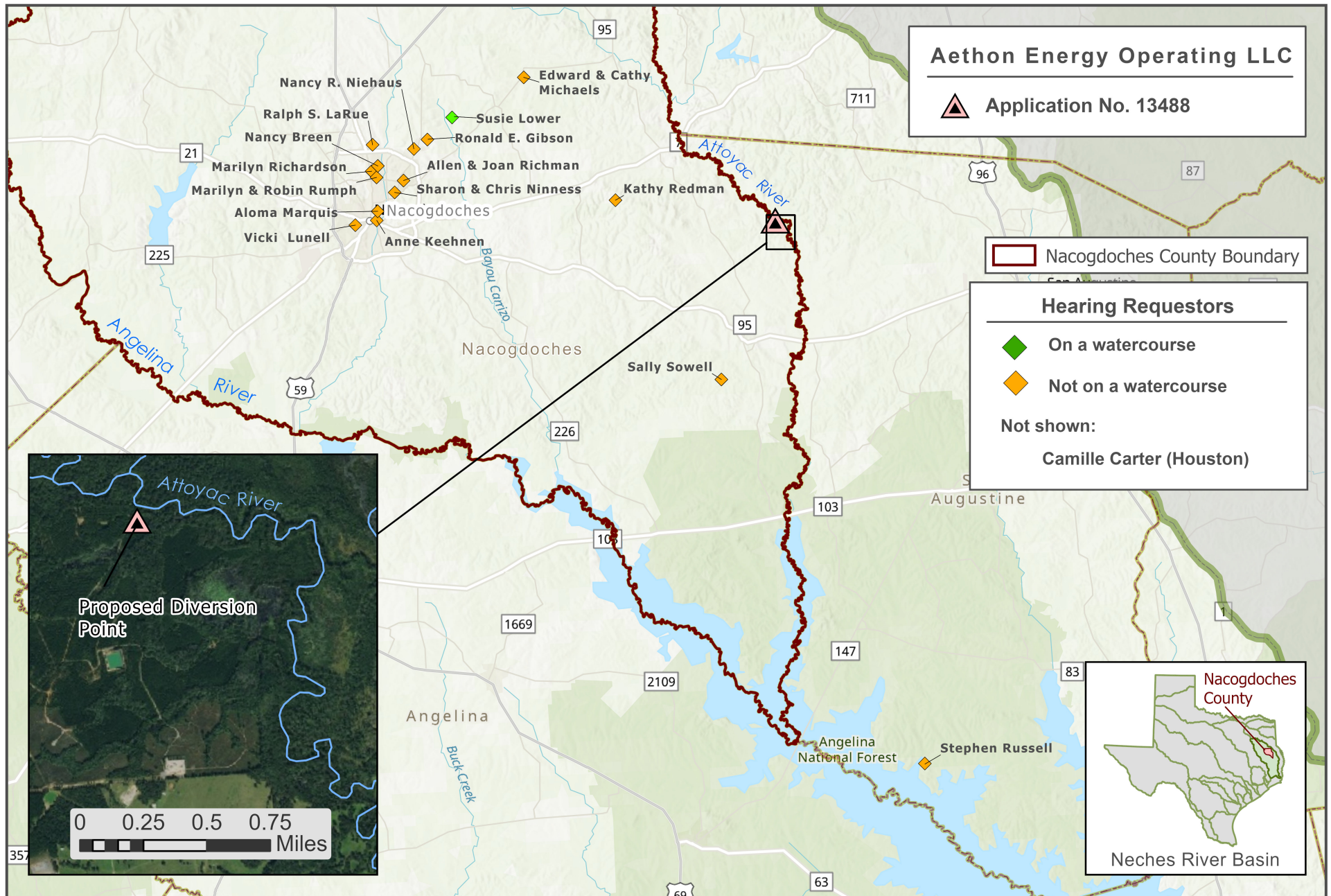
Allen and Joan Richman
2004 Sheffield Dr.
Nacogdoches TX 75965-3137

Robin and Marilyn Rumph
3307 Raguett St.
Nacogdoches TX 75965-2673

Stephen Russell
212 County Road 4784
Broadus TX 75929-2213

Sally C. Sowell
648 County Road 433
Chireno TX 75937-3718

Attachment A



This map was generated by the Water Availability Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Water Availability Division at (512)239-4600.



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