

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 27, 2022

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

Re: **Application By Collin County Municipal Utility District No. 7;
TCEQ Docket No. 2022-0533-DIS**

Dear Ms. Gharis:

I have enclosed for filing the "Executive Director's Response to Hearing Requests and Requests for Reconsideration." Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kayla Murray".

Kayla Murray
Staff Attorney
Environmental Law Division

Enclosure

cc: Mailing List

TCEQ DOCKET NO. 2022-0533-DIS

APPLICATION FOR THE CREATION § BEFORE THE TEXAS
OF COLLIN COUNTY MUNICIPAL § COMMISSION ON
UTILITY DISTRICT NO. 7 § ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS AND
REQUESTS FOR RECONSIDERATION

I. INTRODUCTION

The Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Requests and Requests for Reconsideration on the revised petition by Harrington/Turner Enterprises LP (Petitioner) for the creation of Collin County Municipal Utility District No. 7 (District).

The District would contain 101.829 acres located within Collin County. It is located approximately 4 miles east of US Highway 75 and 2 miles north of FM 544, between the City of Parker and the City of Murphy, wholly within the City of Parker’s extraterritorial jurisdiction (ETJ).

The Petition states that the general nature of the work to be done by the District is:

- (1) the construction of a water supply and distribution system for domestic purposes;
- (2) the construction of a sanitary sewer conveyance and treatment system;
- (3) the control, abatement, and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the District;
- (4) the construction and financing of macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and
- (5) such other construction, installation, maintenance, purchase, and operation of such other facilities, systems, plants, and enterprises as shall be consistent with the purposes for which the District is organized.

The District will be considered a “developer project” as defined by 30 TEX. ADMIN. CODE § 293.44(a). Therefore, developer cost participation in accordance with 30 TEX. ADMIN. CODE § 293.47 will be required.

Included with the ED’s response are: Attachment A (map of the proposed District with hearing requestors numbered), Attachment B (zoomed out map of the proposed District with hearing requestors numbered), and Attachment C (appendix of the hearing requestors). Please note that the following requestors were inadvertently not included on the map: Robert Fernandez, Ryan and Kathryn Hendrix, Mary Nell Jackson, Valeda Logan, and Gabriela Tourne.

II. PROCEDURAL HISTORY

The Petitioner filed an application with the TCEQ for the creation of the District and it was declared administratively complete on April 27, 2021. The Notice of District Petition was published in *The Wylie News*, a newspaper generally circulated in Collin County, where the District is proposed to be located, on January 19, 2022, and January 26, 2022. The Notice of District Petition was also posted on the bulletin board used for posting legal notices in the Collin County Courthouse on January 18, 2022. The TCEQ received approximately 20 comments opposing the creation of the district and

approximately 100 requests for a hearing. Five requests for reconsideration were also submitted. The period to request a contested case hearing ended on February 25, 2022.

The Office of the Chief Clerk sent notice of the agenda setting for the Commission's consideration of the hearing request on July 20, 2022.

III. CREATION OF MUNICIPAL UTILITY DISTRICTS

A. *District Purpose*

A municipal utility district (MUD) may be created under and subject to the authority, conditions, and restrictions of Article XVI, Section 59, of the Texas Constitution. TEX. WATER CODE § 54.011. The District in this case is proposed to be created and organized according to the terms and provisions of Article XVI, Section 59, of the Texas Constitution and Chapters 49 and 54 of the Texas Water Code.

A MUD may be created for the following purposes:

- (1) the control, storage, preservation, and distribution of its storm water and floodwater, the water of its rivers and streams for irrigation, power, and all other useful purposes;
- (2) the reclamation and irrigation of its arid, semiarid, and other land needing irrigation;
- (3) the reclamation and drainage of its overflowed land and other land needing drainage;
- (4) the conservation and development of its forests, water, and hydroelectric power;
- (5) the navigation of its inland and coastal water;
- (6) the control, abatement, and change of any shortage or harmful excess of water;
- (7) the protection, preservation, and restoration of the purity and sanitary condition of water within the state; and
- (8) the preservation of all natural resources of the state.

TEX. WATER CODE § 54.012. The Commission has jurisdiction to hear this case and create the District. TEX. WATER CODE § 54.014.

B. *Required Findings*

The Commission must grant or deny a MUD creation application in accordance with TEX. WATER CODE § 54.021. In order to grant an application, the Commission must find that organization of the district as requested is feasible and practicable and is necessary and would be a benefit to the land to be included in the district. TEX. WATER CODE § 54.021(a); 30 TEX. ADMIN. CODE § 293.13(b)(1). If the Commission fails to make these findings, it shall refuse to grant the petition. TEX. WATER CODE § 54.021(d); 30 TEX. ADMIN. CODE § 293.13(a).

In determining if a project is feasible and practicable and if it is necessary and would be a benefit to the land included in the district, the Commission shall consider:

- (1) the availability of comparable service from other systems, including but not limited to water districts, municipalities, and regional authorities;
- (2) the reasonableness of projected construction costs, tax rates, and water and sewer rates; and

- (3) whether or not the district and its system and subsequent development within the district will have an unreasonable effect on the following:
- (A) land elevation;
 - (B) subsidence;
 - (C) groundwater level within the region;
 - (D) recharge capability of a groundwater source;
 - (E) natural run-off rates and drainage;
 - (F) water quality; and
 - (G) total tax assessments on all land located within a district.

TEX. WATER CODE § 54.021(b).

The Commission, however, must exclude the areas that it finds would not be benefited by the creation of the district and must redefine the boundaries of the proposed district according to its findings. 30 TEX. ADMIN. CODE § 293.13(b)(2); TEX. WATER CODE § 54.021(c).

C. City Consent

TCEQ regulations require all district creation applications to contain “a certified copy of the action of the governing body of any municipality in whose extraterritorial jurisdiction the proposed district is located, consenting to the creation of the proposed district, under Local Government Code, § 42.042.” 30 TEX. ADMIN. CODE § 293.11(a)(2). Commission Rules further state that “[i]f the governing body of any such municipality fails or refuses to grant consent, the petitioners must show that the provisions of Local Government Code, § 42.042, have been followed.” *Id.*

MUDs are also subject to the city consent requirements of TEX. WATER CODE § 54.016, which states that “[n]o land within the corporate limits of a city or within the extraterritorial jurisdiction of a city, shall be included in a district unless the city grants its written consent, by resolution or ordinance, to the inclusion of the land within the district in accordance with Section 42.042, Local Government Code, and this section.” TEX. WATER CODE 54.016(a); LOC. GOVT. CODE § 42.042(a). If the city fails or refuses to give consent within 90 days after receipt of a written request, the land owners in the area “may petition the governing body of the city and request the city to make available to the land the water or sanitary sewer service contemplated to be provided by the district.” TEX. WATER CODE § 54.016(b); LOC. GOVT. CODE, § 42.042(b). If the landowners and the city then fail to execute a “mutually agreeable contract” for the provisions of the requested services within 120 days after receipt of the petition, “the failure shall constitute authorization for the inclusion of the land in the district under the provisions of this section.” TEX. WATER CODE § 54.016(c); LOC. GOVT. CODE § 42.042(c). The Texas Water Code goes on to state that:

If the city fails or refuses to grant permission for the inclusion of land in a district or to execute a mutually agreeable contract providing for the water or sanitary sewer service requested within the time limits contained within Subsection (b) or (c) of this section, the applicant may petition the commission for creation of the district or inclusion of the land in a district. The commission shall allow creation or inclusion of the land in a proposed district upon a finding that the city either does not have the reasonable

ability to serve or has failed to make a legally binding commitment with sufficient funds available to provide water and wastewater service adequate to serve the proposed development at a reasonable cost to the landowner. The commitment shall provide that construction of the facilities necessary to serve the land shall be commenced within two years, and shall be substantially complete within four and one-half years from the date the petition was filed with the city.

TEX. WATER CODE § 54.016(d).

IV. ANALYSIS OF THE REQUESTS FOR RECONSIDERATION

TCEQ received timely Requests for Reconsideration from Joseph Stack, Tracy Stack, Lucy Jane Powell, Hiralben T. Vora, and Tarang B. Vora.

Joseph Stack and Tracy Stack did not provide any information demonstrating why the Executive Director's action should be reconsidered. The requests from Lucy Jane Powell, Hiralben T. Vora, and Tarang B. Vora did not address issues regarding the application at hand. Rather, the issues they raised were specific to a related Texas Pollutant Discharge Elimination System (TPDES) Permit.

For these reasons, the ED provides no analysis on those requests and recommends that the Commission deny all the requests.

V. EVALUATION PROCESS FOR HEARING REQUESTS

As the application was declared administratively complete after September 1, 1999, it is subject to the requirements of Title 30, Chapter 55, Subchapter G, Sections 55.250-55.256 of the Texas Administrative Code. The Commission, the Executive Director, the Petitioner, or affected persons may request a contested case hearing on this application. 30 TEX. ADMIN. CODE § 55.251(a). The Commission must evaluate the hearing requests and may take one of the following actions:

- (1) determine that the hearing requests do not meet the rule requirements and act on the application;
- (2) determine that the hearing requests do not meet the rule requirements and refer the application to a public meeting to develop public comment before acting on the application;
- (3) determine that the hearing requests meet the rule requirements and refer the application to the State Office of Administrative Hearings ("SOAH") for a hearing; or
- (4) refer the hearing requests to SOAH for a hearing on whether the hearing requests meet the rule requirements.

30 TEX. ADMIN. CODE § 55.255(a).

The regulations provide that a hearing request made by an affected person must be in writing and must be filed with the Office of the Chief Clerk within the time provided in the Notice of District Petition. 30 TEX. ADMIN. CODE § 55.251(b) and (d). These two requirements are mandatory. The affected person's hearing request must also substantially comply with the following:

- (1) give the name, address, and daytime telephone number of the person who files the request;
- (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.

30 TEX. ADMIN. CODE § 55.251(c).

An affected person's personal justiciable interest must be related to a legal right, duty, privilege, power, or economic interest affected by the application belonging to the requestor and not an interest common to members of the general public. 30 TEX. ADMIN. CODE § 55.256(a). The regulations give the Commission flexibility to determine affected person status by considering any relevant factor, including the following:

- (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 and safety of the person, and on the use of property of the person; and
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person.
- (6) For governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TEX. ADMIN. CODE § 55.256(c).

VI. HEARING REQUESTS

A. Analysis of the City of Parker's Hearing Request

1. Whether the City Complied with 30 TEX. ADMIN. CODE § 55.251(c)

Arturo Rodriguez, on behalf of the City of Parker (City), submitted a timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3).

2. Whether the City is an Affected Person

Because it is undisputed that the proposed District lies within the City's ETJ, the Executive Director recommends finding that the City of Parker is an affected person: the City has not consented to the creation of the District and the issue of city consent is an interest that is protected by the law under which the application will be considered and is reasonably related to the interest claimed by the City and the activity

regulated. 30 TEX. ADMIN. CODE § 55.256(a)(1) and (3). Furthermore, due to the city consent issue, the City has shown that it has authority under state law over issues contemplated by the application pursuant to 30 TEX. ADMIN. CODE § 55.256(b). The Executive Director recommends granting the City's hearing request.

3. *Petitioning the City for Consent*

The Petitioner asserts that it filed a Petition for Consent with the City on July 24, 2020, and the TCEQ was provided with a copy of the Petition for Consent and receipt of delivery with its Creation Petition. The Petitioner indicated that it did not receive any response from the City related to the Petition for Consent.

4. *Petitioning the City for Service*

Without city consent, landowners can pursue creation under the provisions of TEX. WATER CODE § 54.016(b) - (d). Under the Texas Water Code, if the city fails or refuses to grant consent within 90 days after receipt of a written request, the landowners in the area may petition the city to provide the land with the water and sewer services contemplated to be provided by the district. TEX. WATER CODE § 54.016(b); LOC. GOVT. CODE § 42.042(b). The requirements for making such a petition are set out in LOC. GOVT. CODE § 42.043. Under that section, before the petition can be circulated among voters and landowners, notice must be provided by posting a copy of the petition for 10 days in three public places in the area to be serviced and by publishing the notice once, in a newspaper of general circulation serving the area, before the 15th day before the date the petition is first circulated. LOC. GOVT. CODE § 42.043(c).

The Petitioner published Notice of the Petition for Water and Sanitary Sewer Service on October 20, 2020, in the *Collin County Commercial Record*, a newspaper of general circulation within and around the District and provided the TCEQ with a copy of the Notice and affidavit of publication. The Petitioner posted the Notice of Petition in three places convenient to the public within the boundaries of the property sought to be included in the District on October 16, 2020, and provided the TCEQ with a copy of the affidavit of posting. The Petitioner filed the Petition for Water and Sanitary Sewer Services with the City on November 6, 2020, and provided the TCEQ with a copy of the Petition for Services. The Petitioner indicated that it did not receive any response from the City related to the Petition for Service.

5. *Authorization for Creation by Failing to Execute a Contract*

Under the Texas Water Code, if the landowners and the city fail to execute a "mutually agreeable contract" for the provisions of the requested services within 120 days after receipt of the petition, "the failure shall constitute authorization for the inclusion of the land in the district under the provisions of this section." TEX. WATER CODE

§ 54.016(c); LOC. GOVT. CODE § 42.042(c). According to the Petitioner, the petition was filed with the City on November 6, 2020. Assuming this to be true, the 120 day period in which to execute a mutually agreeable contract would have ended on March 6, 2021.

If, as it appears, the City failed to enter a mutually agreeable contract during the 120 day time period, then the District would have authorization “to initiate proceedings to include the land within the district as otherwise provided by this Act.” TEX. WATER CODE § 54.016(c). By filing its application for the creation of Collin County MUD 7 with the TCEQ on April 12, 2021, the Petitioner has initiated proceedings to include the land within the District as otherwise provided by TEX. WATER CODE § 54.016, even if the application was submitted before the 120 day period had begun.

6. *If the Commission Finds that the Petitioner Complied with 30 TEX. ADMIN. CODE § 54.016(b) and (c), Then it Must Make One of the Following Findings:*

- a) whether the City has the reasonable ability to serve the proposed development at a reasonable cost to the landowner; or
- b) whether the City failed to make a legally binding commitment with sufficient funds available to provide water and wastewater service adequate to serve the proposed development at a reasonable cost to the landowner.

Under TEX. WATER CODE § 54.016(d), if the City neither gives its consent nor executes a “mutually agreeable contract” to provide service to the area, “the applicant may petition the commission for creation of the district or inclusion of the land in a district.”

TEX. WATER CODE § 54.016(d) goes on to state that “[t]he commission shall allow creation or inclusion of the land in a proposed district upon a finding that the city either does not have the reasonable ability to serve or has failed to make a legally binding commitment with sufficient funds available to provide water and wastewater service adequate to serve the proposed development at a reasonable cost to the landowner.” Under this provision, the Commission is required to grant the creation of the District if it makes one of the above referenced findings.

With respect to the first of these findings, the City has indicated that it maintains a water and sewer utility, and the Petitioner’s materials state that the proposed District is within the City’s Water Certificate of Convenience and Necessity (CCN). The proposed District is not located within any existing Wastewater CCN.

Regarding the second finding, the Executive Director is without any evidence as to whether the City has failed to make a legally binding commitment with sufficient funds available to provide water and

wastewater service adequate to serve the proposed development at a reasonable cost to the landowner.

B. Analysis of the City of Murphy's Hearing Request

Stephen Dickman, on behalf of the City of Murphy, submitted a timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the TCEQ Internal Control Number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, Mr. Dickman identified the City of Murphy's personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates/drainage, water quality, groundwater level within the region, and availability of comparable service from other systems, stated how the City of Murphy would be affected by the District in a way uncommon to the general public, and described that the City of Murphy's incorporated limits are directly adjacent to the southern boundary of the proposed District. As such, the Executive Director finds that the City of Murphy is an affected person pursuant to the criteria in 30 TEX. ADMIN. CODE § 55.256.

C. Analysis of State Representative Noble's Hearing Request

The Honorable State Representative Candy Noble submitted a timely hearing request. The hearing request included her name and phone number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It also included a P.O. Box and an address for a District office in the City of Murphy. She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the TCEQ Internal Control Number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4).

The Executive Director reviewed the factors found in 30 TEX. ADMIN. CODE § 55.256 for determining if a person is an affected person. Representative Noble did not demonstrate that she has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application that is not common to members of the general public. Specifically, Representative Noble's hearing request raised the following issues: concern regarding the impact the proposed district will have on the area as well as the impact on property values. The request did not address how she was personally affected by the application. Moreover, the request did not provide a property location near the proposed district. As such, the Executive Director recommends that the Commission find that Representative Noble has not demonstrated that she is an affected person pursuant to the criteria in 30 TEX. ADMIN. CODE § 55.256.

D. Analysis of Rolling Ridge Estates HOA's Hearing Request

Arvind Chokhani submitted a timely hearing request on behalf of Rolling Ridge Estates HOA. It contained their name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It did not contain their phone number which is required by 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4).

30 TEX. ADMIN. CODE § 55.252(a)(1-3) states that the following requirements must be met for a group or association to request a hearing: one or more members of the group or association would otherwise have standing to request a hearing in their own right; the interests the group or association seeks to protect are germane to the organization's purpose; and neither the claim nor the relief requested requires the participation of the individual members in the case. Since the request did not identify a member of the HOA who would have standing in their own right pursuant to 30 TEX. ADMIN. CODE § 55.252, the Executive Director recommends denying this request.

E. Analysis of Hearing Requests by Individuals

1. Individuals' Hearing Requests that the ED Recommends Granting

Ammy Le (#7 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Andrew Malczewski (#11 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates/drainage, water quality, availability of comparable service from other systems, and the reasonableness of tax rates, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Ashesh V. Patel (#12 on the map) submitted an individual, timely request which contained their name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It did not contain their phone number which is required by 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised the issue of availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the

Executive Director recommends that the Commission find that they are an affected person and grant their hearing request.

Ashley Sekimoto (#13 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage, water quality, availability of comparable service from other systems, and the reasonableness of tax rates, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Carrolyn Jean Moebius (#21 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Charles E. Spence (#23 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised the issue of availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Dianne Elizabeth Lundberg (#27 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is

situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Scheri M. and Don Wade Cloud (#28 on the map) submitted an individual, timely request which contained their names and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage and water quality, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are affected persons and grant their hearing request.

Edwin D. Lundberg (#30 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates and drainage and availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Elizabeth Abraham (#31 on the map) submitted an individual, timely request which contained her name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage and water quality, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Heather Mae Powell (#33 on the map) submitted an individual, timely request which contained her name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She also requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She did identify her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised the issue of availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns

raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Jani and Miriam Jasadiredja (#39 on the map) submitted an individual, timely request which contained their names, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are affected persons and grant their hearing request.

Jena C. Holton (#40 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates and drainage and availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Angelique S. and John Loncar (#43 on the map) submitted an individual, timely request which contained their names, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage and water quality, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are affected persons and grant their hearing request.

John Holton (#45 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates and drainage and availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District.

Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Katherine Calabria Harvey (#49 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage and water quality, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Kimberly Ryan (#53 on the map) submitted an individual, timely request which contained her name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised the issue of availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Lance Caughfield (#57 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Lisa Michele Kester (#61 on the map) submitted an individual, timely request which contained her name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to natural run-off rates/drainage and availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District.

Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Michael Shaun Haynes (#67 on the map) submitted an individual, timely request which contained his name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Mir Abbas Abidi (#70 on the map) submitted an individual, timely request which contained their name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage, water quality, and availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are an affected person and grant their hearing request.

Ryan Sekimoto (#81 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

Soumit Roy (#83 on the map) submitted an individual, timely request which contained their name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the

location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are an affected person and grant their hearing request.

Sunil K. and Sreelaxmi Unnikrishnan (#84 on the map) submitted an individual, timely request which contained their name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage, and availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where his property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are affected persons and grant their hearing request.

Sylvia June Roy (#86 on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, she identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to availability of comparable service from other systems, stated how she would be affected by the District in a way uncommon to the general public, and described where her property is situated in relation to the District. Due to the location of her property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that she is an affected person and grant her hearing request.

Tom and Linda Weis (#88 on the map) submitted an individual, timely request which contained their names, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, they identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to natural run-off rates/drainage and availability of comparable service from other systems, stated how they would be affected by the District in a way uncommon to the general public, and described where their property is situated in relation to the District. Due to the location of their property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that they are affected persons and grant their hearing request.

Tom Marshall (#90 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). Furthermore, he identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to the availability of comparable service from other systems, stated how he would be affected by the District in a way uncommon to the general public, and

described where his property is situated in relation to the District. Due to the location of his property relative to the proposed district and the concerns raised, the Executive Director recommends that the Commission find that he is an affected person and grant his hearing request.

2. *Individuals' Hearing Requests that the ED Recommends Denying*

Meerna Dalal (#65 on the map) submitted an individual, timely request which contained her name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It did not contain her phone number which is required by 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, negative health impacts and property implications, are not issues the Commission may consider when reviewing a MUD creation application. As a result, she has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny her hearing request.

Michael Dalal (#66 on the map) submitted an individual, timely request which contained his name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It did not contain his phone number which is required by 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, flooding, health, and property concerns, are not issues the Commission may consider when reviewing a MUD creation application. As a result, he has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny his hearing request.

Glynn Alan Lively (#69 on the map) submitted an individual, timely request which contained his name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). It did not contain his phone number which is required by 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, odors, flooding, roads, and emergency services, are not issues the Commission may consider when reviewing a MUD creation application. As a result, he has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny his hearing request.

Robert T. Bucci (#78 on the map) submitted an individual, timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). He requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, concerns about WWTP effluent, are not issues the Commission may consider when reviewing a MUD creation application. As a result, he has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny his hearing request.

Teral McDowell (#87 on the map) submitted an individual, timely request which contained their name, address, and phone number pursuant to 30 TEX. ADMIN. CODE

§ 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, concerns about a TPDES permit, are not issues the Commission may consider when reviewing a MUD creation application. As a result, they have not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny their hearing request.

Ryan and Kathryn Hendrix (not included on the map; their request stated that their house is within one mile of the proposed district boundaries) submitted an individual, timely request which contained their names, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). They also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, odors, property values, noise, spills, and health impacts, are not issues the Commission may consider when reviewing a MUD creation application. As a result, they have not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny their hearing request.

Mary Nell Jackson (not included on the map) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, traffic, flooding, wildlife concerns, and noise, are not issues the Commission may consider when reviewing a MUD creation application. As a result, she has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny her hearing request.

Valeda Logan (not included on the map; her request stated that her house is within .6 miles of the proposed district boundaries) submitted an individual, timely request which contained her name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). She requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(3). She also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). However, the issues raised in the hearing request, odors, lighting concerns, and noise, are not issues the Commission may consider when reviewing a MUD creation application. As a result, she has not identified a personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2). The Executive Director recommends the Commission deny her hearing request.

Billy Barron (#16 on the map), Brian Jones (#18 on the map), Katherine Wunderlich (#50 on the map), Linda G. Loop (#60 on the map), Lucy Jane Powell (#62 on the map), Robert Wunderlich (#79 on the map), and Gabriela Tourne (not included on the map; her request stated that her house is within .4 miles of the proposed district boundaries) submitted timely requests but these individuals did not raise any issues which are within the Commission's jurisdiction to consider during the review of a MUD creation petition.

The following requestors either did not indicate that they own property in close proximity to the District and therefore did not demonstrate that they are affected persons with respect to this district creation, or their respective locations on the TCEQ-generated map indicated that they did not own property in close proximity to the District: Bryan C Galen (Maxwell Creek Market Garden); Chad B. Spence; James Morris; John Isenhower; Kelly Hamilton; Kristen Bewley; Lacey Dodd; Mary J. Henshaw; Olan Knight; Rebecca Fernandez; Robert Fernandez ¹; Thomas K. Powell, Jr.; and William Henshaw.

The following requestors did not identify a personal justiciable interest and therefore did not demonstrate that they are affected persons with respect to this district creation: Ain Ul Badar; Alan Trumbly; Alif Rahman; Allison E. Laramore; Amit Nangia; Amy Ichiba; Amy Lopez; Andrea Gillum; Barbara Thompson; Baylis H. Laramore; Carolyn King; Dan Shoop & Jeffry Dwight; Dana Marie Lester; Dorothy Taylor; Emily Laramore; Hope Gladney; James M. Daniel; Jamie Nicholson; Jan Durham; Jene Butler; Jimmy Samuel; Jolene Leask; Kannan Palaniappan; Kate Anderson; Kimberly D. Laramore; LaDonna Schneller; Linda Carlson; Lynne Watson; Miki Mizuno; Neetu Deshpande Samuel; Paul Walter; Ranjani Venkataraman; Reny Abraham; Ricardo Azcarate; Ron Raybarman; Sally Savino; Surendra Hanumanthanna; Tracy Stack; Trent and Anna Mendenhall; Wendy Clark; Deborah Ison; Brent Lee Ryan; and Linda Fletcher.

VII. RECOMMENDATION

The Executive Director recommends that the Commission grant the hearing requests of the City of Parker; the City of Murphy; Ammy Le; Andrew Malczewski; Ashesh Patel; Ashley Sekimoto; Carrolyn Jean Moebius; Charles E. Spence; Dianne Elizabeth Lundberg; Scheri M. and Don Wade Cloud; Edwin D. Lundberg; Elizabeth Abraham; Heather Mae Powell; Jani and Miriam Jasadiredja; Jena C. Holton; Angelique S. and John Loncar; John W. Holton; Katherine Calabria Harvey; Kimberly Ryan; Lance Caughfield; Lisa Michele Kester; Michael Shaun Haynes; Mir Abbas Abidi; Ryan Sekimoto; Soumit Roy; Sunil K. and Sreelaxmi Unnikrishnan; Sylvia June Roy; Tom and Linda Weis; and Tom Marshall.

The Executive Director recommends that the Commission find that all other requestors, including Representative Noble and Rolling Ridge Estates HOA, are not affected persons and deny their hearing requests.

As stated earlier, the Executive Director recommends that the Commission deny the Requests for Reconsideration.

If the Commission chooses to deny the above hearing requests, then the Executive Director recommends that the creation petition be granted.

¹ Robert Fernandez listed the same address as Rebecca Fernandez, who is #75 on the map.

Respectfully submitted,

Texas Commission on Environmental Quality

Toby Baker,
Executive Director

Charmaine Backens, Deputy Director
Environmental Law Division



Kayla Murray, *Staff Attorney*
Environmental Law Division
State Bar No. 24049282
P.O. Box 13087, MC 173
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Telephone No. 512-239-4761
Fax No. 512-239-0606

REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Attachment A

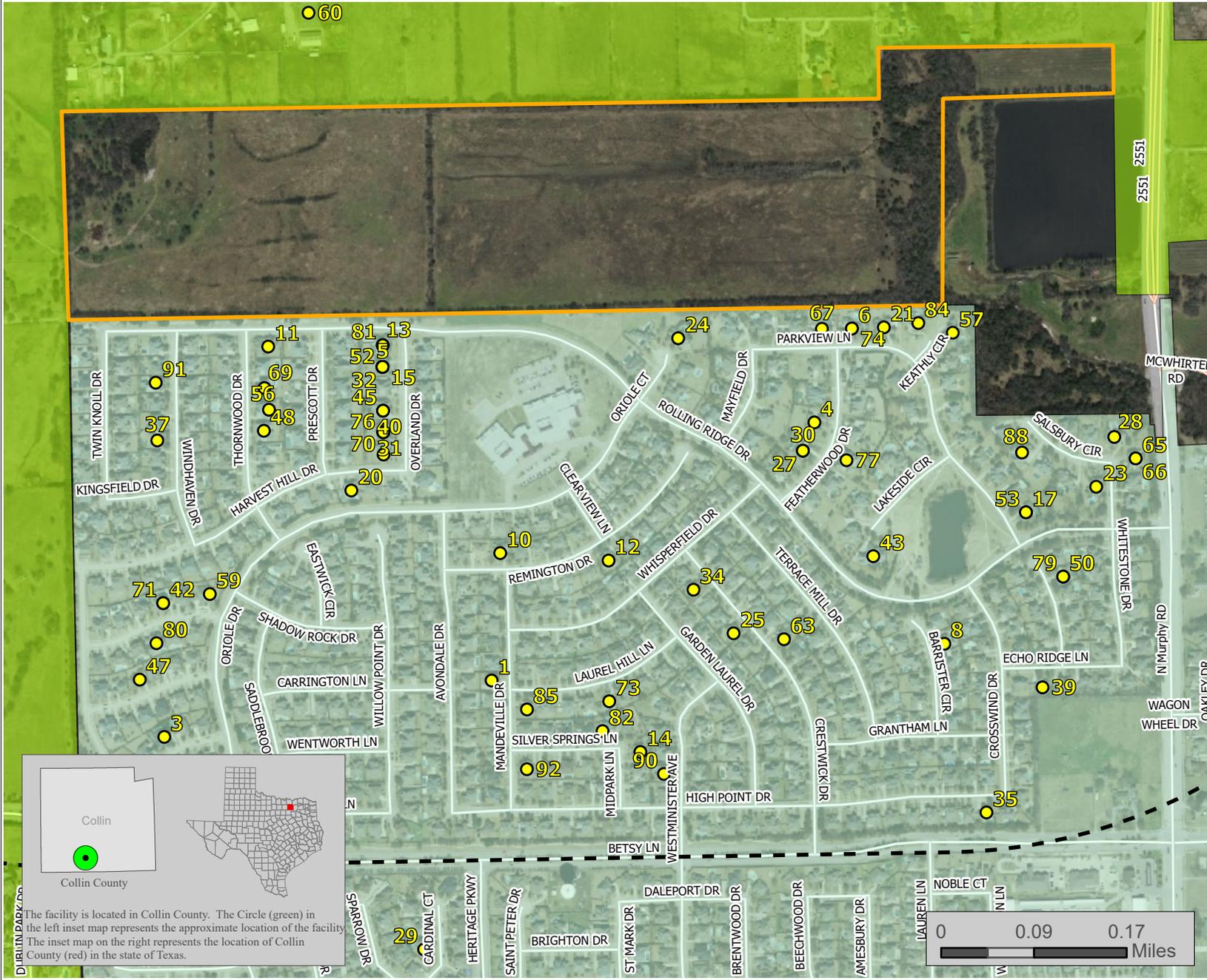
Proposed Collin Co MUD 7

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda

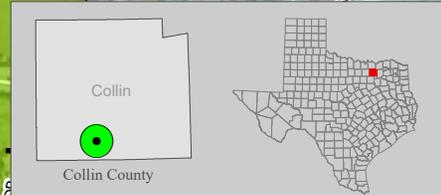


*Protecting Texas by
Reducing and
Preventing Pollution*

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 5/20/2022
CRF 0068293
Cartographer: cschrade



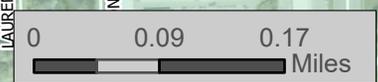
- Requestors
- 0.5 mi Radius
- 1 mi Radius
- 1.5 mi Radius
- Proposed District Boundaries
- City of Parker
- City of Murphy



The facility is located in Collin County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Collin County (red) in the state of Texas.

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources 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 Information Resource Division at (512) 239-0800.



Attachment B

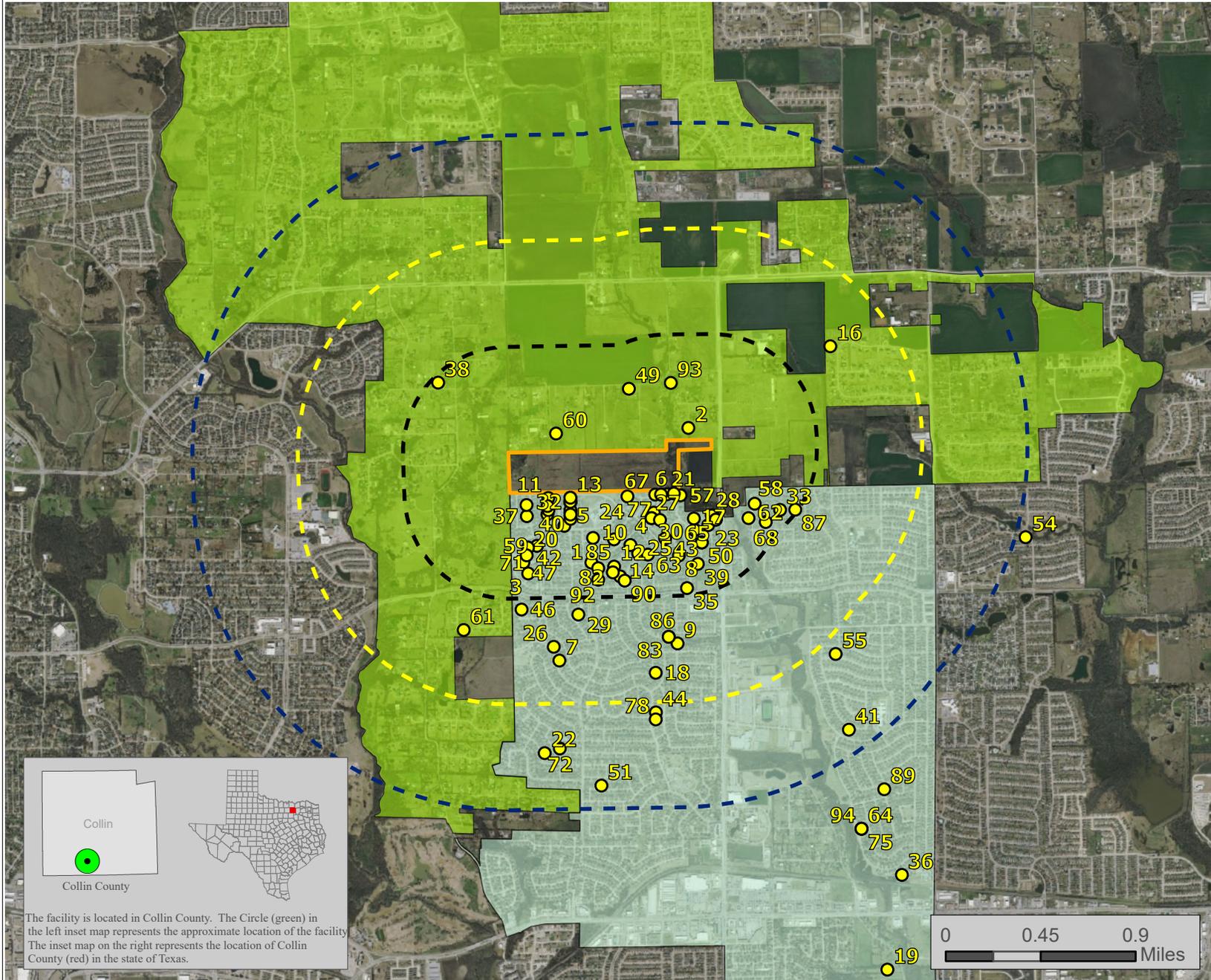
Proposed Collin Co MUD 7

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



*Protecting Texas by
Reducing and
Preventing Pollution*

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 5/20/2022
CRF 0068293
Cartographer: cschrade

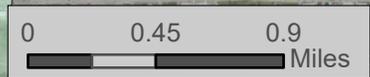


- Requestors
- 0.5 mi Radius
- 1 mi Radius
- 1.5 mi Radius
- Proposed District Boundaries
- City of Parker
- City of Murphy

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

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The facility is located in Collin County. The Circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Collin County (red) in the state of Texas.



Attachment C

Appendix A

ID	NAME	ADDRESS	CITY	STATE	ZIP
1	Ain Ul Badar	1131 Mandeville Dr	Murphy	TX	75094
2	Alan Trumbly	3501 Woodcreek Cir	Parker	TX	75002
3	Alan Trumbly	609 Royal Glen Dr	Murphy	TX	75094
4	Alif Rahman	1311 Featherwood Dr	Murphy	TX	75094
5	Allison E. Laramore	1319 Overland Dr	Murphy	TX	75094
6	Amit Nangia	1416 Parkview Ln	Murphy	TX	75094
7	Ammy Le	902 Mustang Ridge Dr	Murphy	TX	75094
8	Amy Ichiba	1216 Barrister Cir	Murphy	TX	75094
9	Amy Lopez	913 Brentwood Dr	Murphy	TX	75094
10	Andrea Gillum	429 Remington Dr	Murphy	TX	75094
11	Andrew Malczewski	1328 Thornwood Dr	Murphy	TX	75094
12	Ashesh Patel	410 Remington Dr	Murphy	TX	75094
13	Ashley Sekimoto	1323 Overland Dr	Murphy	TX	75094
14	Barbara Thompson	1116 Midpark Ln	Murphy	TX	75094
15	Baylis H. Laramore, Jr	1319 Overland Dr	Murphy	TX	75094
16	Billy Barron	6707 Overbrook Dr	Parker	TX	75002
17	Brent L Ryan	1300 Parkview Ln	Murphy	TX	75094
18	Brian Jones	806 Shadybrook Dr	Murphy	TX	75094
19	Bryan C Galen Maxwell Creek Market Garden	143 S Maxwell Creek Rd	Murphy	TX	75094
20	Carolyn King	514 Harvest Hill Dr	Murphy	TX	75094
21	Carrolyn J Moebius	1412 Parkview Ln	Murphy	TX	75094
22	Chad B Spence	608 Peacock Dr	Murphy	TX	75094
23	Charles E Spence	106 Salisbury Cir	Murphy	TX	75094
24	Dan Shoop and Jeffry Dwight	308 Oriole Dr	Murphy	TX	75094
25	Dana Marie Lester	1213 Crestwick Dr	Murphy	TX	75094
26	Deborah Ison	918 Mustang Ridge Dr	Murphy	TX	75094
27	Dianne Lundberg	1307 Featherwood Dr	Murphy	TX	75094
28	Don Wade Cloud, Jr and Scheri Cloud	103 Salisbury Cir	Murphy	TX	75094
29	Dorothy Taylor	1015 Cardinal Ct	Murphy	TX	75094
30	Edwin D Lundberg	1307 Featherwood Dr	Murphy	TX	75094
31	Elizabeth Abraham	1307 Overland Park Dr	Murphy	TX	75094
32	Emily M. Laramore	1319 Overland Dr	Murphy	TX	75094
33	Heather Powell	340 Montana Trl	Murphy	TX	75094
34	Hope Gladney	1225 Crestwick Dr	Murphy	TX	75094
35	James M Daniel	204 High Point Dr	Murphy	TX	75094
36	James Morris	627 Aspen Ct	Murphy	TX	75094
37	Jamie Nicholson	1317 Windhaven Dr	Murphy	TX	75094
38	Jan Durham	5003 Ridgeview Dr	Allen	TX	75002
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53	Kimberly Ryan	1300 Parkview Ln	Murphy TX	75094
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60	Linda Loop	5508 Gregory Ln	Parker TX	75002
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63	Lynne Watson	1210 Crestwick Dr	Murphy TX	75094
64	Mary J Henshaw	320 Creekside Dr	Murphy TX	75094
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79	Robert Wunderlich	1218 Dartmouth Cir	Murphy TX	75094
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