

Scott and Jennifer Dafft
PO Box 538
Prosper, Texas 75078
214-850-5713

May 19, 2023

Office of Chief Clerk
Attention Agenda Docket Clerk
Mail Code 105
TCEQ
PO Box 13087
Austin, Texas 78711-3087
www.tceq.texas.gov/goto/efilings

Regarding:

TCEQ Docket No. 2023-0529-SLG
Proposed Permit No.: WQ0005323000

Please consider this as an attachment to our reply to OPIC's response to Request for Hearing concerning the term "small creek and watercourse" found in paragraph D on page 15.

Sincerely,

Scott and Jennifer Dafft

Enc.

CC's:

CC's:

Jerry Allen, Environmental Manager
North Texas Municipal Water District
P.O. Box 2408
Wylie, Texas 75098

Travis Markham, Program Manager
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CC's continued:
Requester(s)

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Mrs. Neha King
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Jane Ridgway
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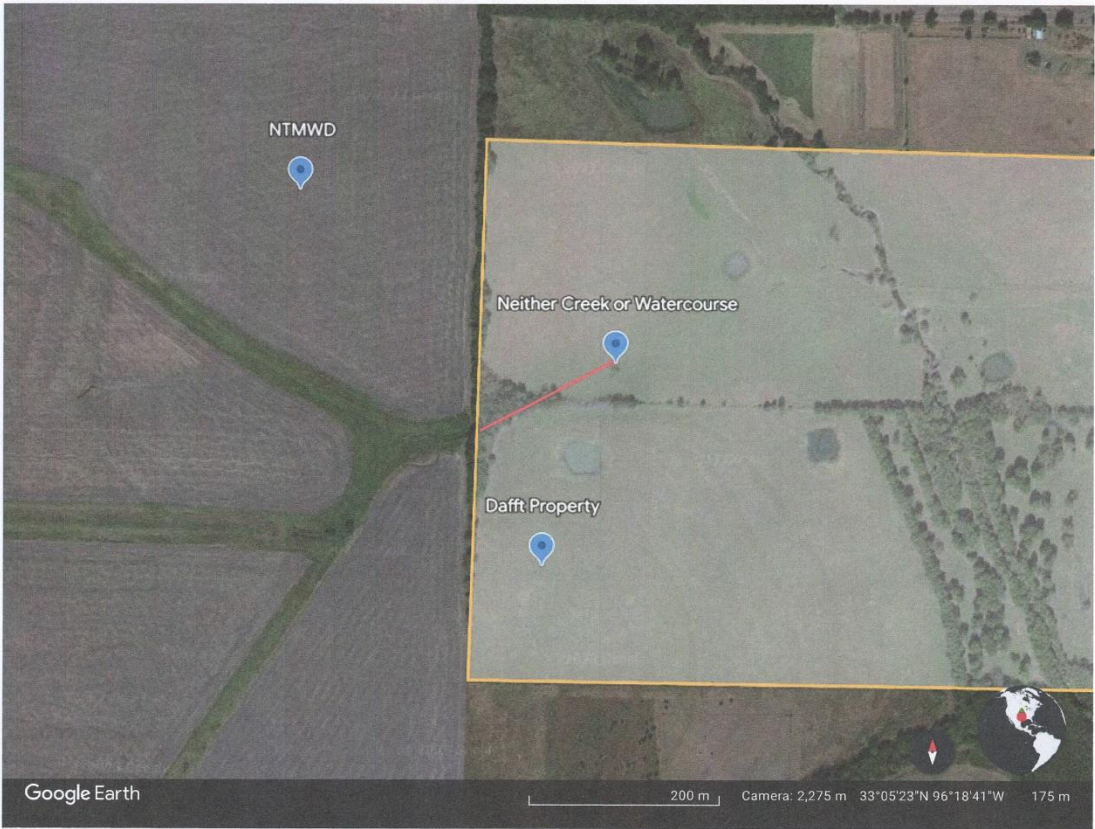
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Regarding:

TCEQ Docket No. 2023-0529-SLG
Proposed Permit No.: WQ0005323000

Please consider this letter as a reply to OPIC's response to Request for Hearing concerning the term "small creek and watercourse" found in paragraph D on page 15.

We appreciate the citing of the case law Hoefs V. Short, 114 Tex. 501, 273 S.W. 785 (1925), which states a watercourse will have a "defined bank and bed, a current of water and a permanent source of supply" which this area has none of these features. Which makes this area neither a small creek nor a watercourse per case law cited and we respectfully request that the term "small creek or watercourse" be removed from this application and any future documentation.

Sincerely,

Scott and Jennifer Daftt

Enc.

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May 19, 2023

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Regarding:

TCEQ Docket No. 2023-0529-SLG
Purposed Permit No.: WQ0005323000

Gentlemen,

Please consider this as a reply to North Texas Municipal Water District's Response to Requests for Contested Case Hearing and Requests for Reconsideration.

Due to the fact we are currently being adversely affected by a river of silt running off the 310-acre proposed site onto my adjacent one hundred acres to the east, **causing restricted use, dead trees, buried fences, stuck livestock, water shed contamination, and more.** We are unquestionably **current**, and **future** adversely affected adjacent landowners in a manner that differs from the general public despite the argument made by the applicant.

Secondly, during a meeting with the district representatives at the district offices in Wylie, Texas, on Tuesday, January 4, 2022, to discuss issues and concerns pertaining to my property and the application, it was clear to all present the proximity of my adjoining property.

The application states that no more than 75-acres of the 310-acres site will be active monofil at any one time, which leaves the remaining 235 acres, or roughly 75% inactive which is one of many concerns that impact the future uses of our property.

Again, without a detailed plan on the inactive portion of the 310-acre site and due to the history of negligence by the NTMWD of this 310-acre site, we have no way to determine the impact and future uses of our property.

Sincerely, Scott and Jennifer Dafft

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