

Renee Lyle

From: PUBCOMMENT-OCC
Sent: Monday, January 8, 2024 1:56 PM
To: Pubcomment-Disc; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Filing on Permit Number/Docket Number 2023-1587-DIS
Attachments: 2024.01.02 Notice Regarding Tague CCH Request re_ White Oaks MUD.pdf

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From: mchambers@spencerfane.com <mchambers@spencerfane.com>
Sent: Tuesday, January 2, 2024 4:36 PM
To: EFiling <EFiling@tceq.texas.gov>
Subject: Filing on Permit Number/Docket Number 2023-1587-DIS

FILING CONFIRMATION NUMBER 719597352024002

REGULATED ENTITY NAME WHITE OAKS MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY

RN NUMBER: RN111577458

PERMIT NUMBER: D09262022049

DOCKET NUMBER: 2023-1587-DIS

COUNTY: DENTON

PRINCIPAL NAME: WHITE OAKS MUNICIPAL UTILITY DISTRICT OF DENTON COUNTY, CN606062966

FROM

FILED BY: Maris M. Chambers

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DOCUMENT NAME: 2024.01.02 Notice Regarding Tague CCH Request re_ White Oaks MUD.pdf

Based on 30 TAC Section 1.10(h), the TCEQ General Counsel has waived the filing requirements of Section 1.10(c) to allow the filing of documents using this online system. The General Counsel also has waived the requirements of Section 1.10(e) so that the time of filing your documents is the time this online system receives your filings. Filings are considered timely if received by close of business (usually 5:00 p.m. CST) on the deadline date unless otherwise ordered. If your document is 20 pages or less (including cover letter, mailing list, and attachments) and it is for Commission consideration at an open meeting, the General Counsel has also waived the requirement of Section 1.10(d) to file paper copies with the Office of the Chief Clerk.



SpencerFane

January 2, 2024

Ms. Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
via <https://www14.tceq.texas.gov/epic/eComment/>

Re: Notice Regarding March 7, 2023, Request of John and Nancy Tague for a Contested Case Hearing on the Petition by White Oaks Ranch Land, LP for the Creation of the White Oaks Municipal Utility District of Denton County (Docket No. 2023-1587-DIS, Internal Control No. D-09262022-049, RN111577458, CN606062966)

Dear Ms. Gharis:

Please accept the following notice regarding the request for a contested case hearing (“*Hearing Request*”) timely filed on behalf of John and Nancy Tague (collectively, “*Requestors*”) on March 7, 2023, regarding the petition (“*Petition*”) by White Oaks Ranch Land, LP (“*Petitioner*”) for the creation of the White Oaks Municipal Utility District of Denton County (the “*Proposed District*”).

I. NOTICE

In the interest of accuracy and good faith, Requestors hereby notify the Texas Commission on Environmental Quality (the “*Commission*”) of a change in ownership of one of the so-called “*Affected Properties*” identified in the above-described Hearing Request.

When the Hearing Request was submitted on March 7, 2023, Requestors owned the following three properties affected by the Proposed District: (1) approximately 32.7086 acres of land located immediately adjacent to and abutting the Proposed District, (2) approximately 42.64 acres of land located within less than ¼ mile of the Proposed District, and (3) approximately 96.52 acres of land located within less than ½ mile of the Proposed District. These three properties were collectively designated the “*Affected Properties*” and are shown in Attachment A to the Hearing Request. Effective August 7, 2023, however, Requestors granted, sold, and conveyed their interest in and to that certain approximately 32.7086-acre property located immediately adjacent to and abutting the Proposed District. Therefore, it is the intent of this notice that the term “*Affected Properties*,” as used in the Hearing Request, be interpreted to mean and refer to only the following two properties owned by Requestors that are affected by the Proposed District: (1) approximately 42.64 acres of land located within less than ¼ mile of the Proposed District, and (2) approximately 96.52 acres of land located within less than ½ mile of the Proposed District. A map depicting these two *Affected Properties*, which supersedes and replaces Attachment A to the Hearing Request, is attached hereto and incorporated herein for all purposes as **Attachment A**.

Subject to the foregoing notification regarding the meaning and interpretation of the term "Affected Properties," the Hearing Request and all the relevant and material concerns and disputed issues raised therein remain unchanged and are hereby affirmed and reasserted by Requestors, who despite the sale of the above-described property, remain affected persons, with personal justiciable interests affected by the Petition in a manner not common to members of the general public, due to the proximity of the Proposed District to the Affected Properties owned by Requestors.

II. CONCLUSION

Requestors appreciate the Commission's consideration of this Notice and the March 7, 2023, Hearing Request; and for the foregoing reasons, respectfully request that the Commission either: (1) find that the project described in the Petition is not feasible, practicable, necessary, or a benefit to the land sought to be included within the Proposed District, and deny the Petition; or (2) grant the Hearing Request.

Respectfully submitted,

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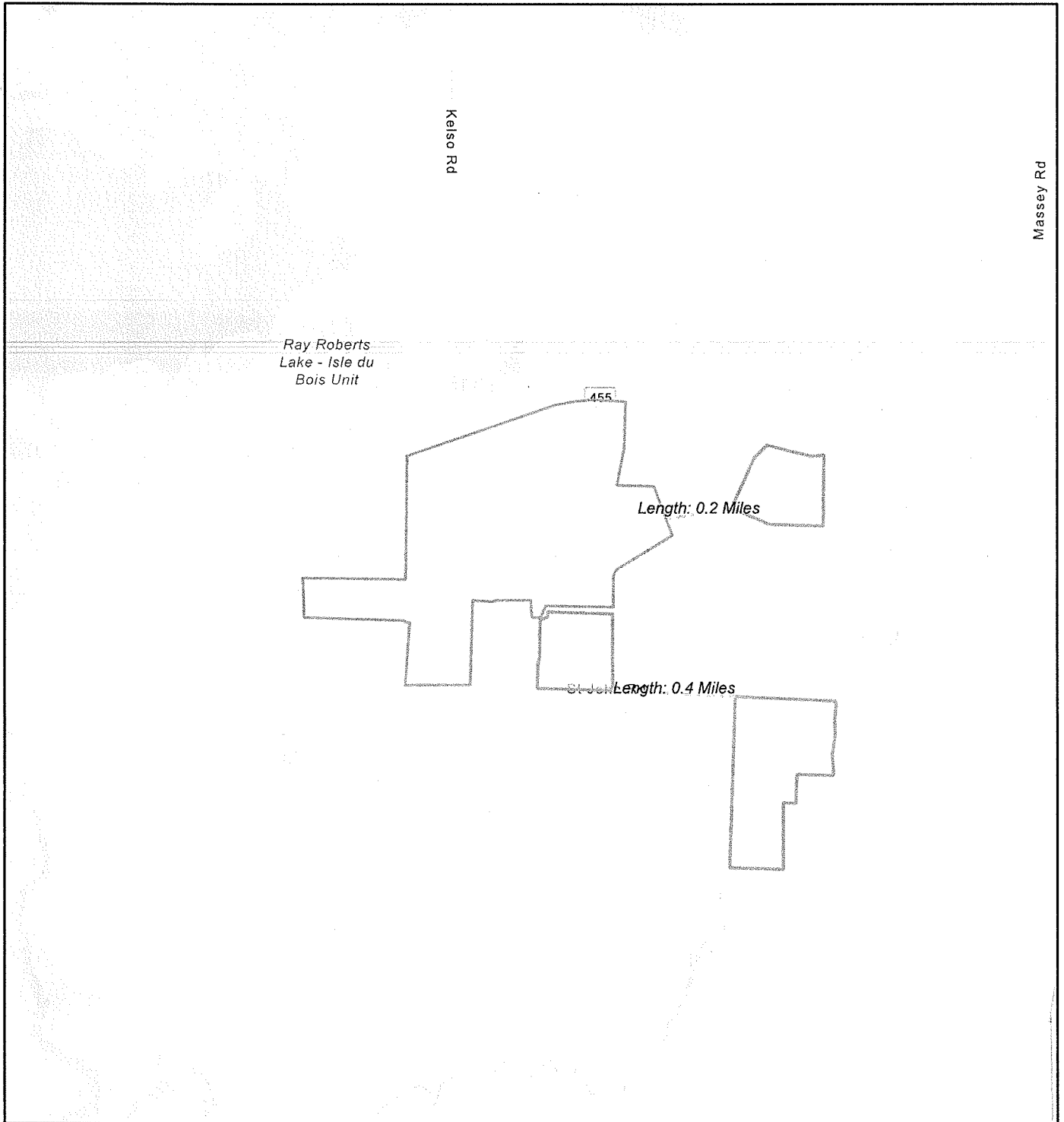




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**ATTORNEYS FOR JOHN AND NANCY
TAGUE**

Attachment A

Attachment A: The "Affected Properties"



-  The "Proposed District"
-  The "Affected Properties"

