

Jon Niermann, *Chairman*  
Bobby Janecka, *Commissioner*  
Catarina Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 12, 2024

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

Re: Application For Hays Commons Municipal Utility District;  
TCEQ Docket No. 2023-1588-DIS

Dear Ms. Gharis:

I have enclosed for filing the "Executive Director's Response to Hearing Requests."  
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. 2023-1588-DIS**

<b>APPLICATION FOR THE</b>	<b>§</b>	<b>BEFORE THE TEXAS</b>
<b>CREATION OF HAYS COMMONS</b>	<b>§</b>	<b>COMMISSION ON</b>
<b>MUNICIPAL UTILITY DISTRICT</b>	<b>§</b>	<b>ENVIRONMENTAL QUALITY</b>

**EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS**

**I. INTRODUCTION**

The Executive Director (ED) of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Requests on the petition by Hays Commons GP (Petitioner) for the creation of Hays Commons Municipal Utility District (District).

The District would contain 290.388 acres located within Hays County. The proposed District is located in Hays County, Texas, west of the intersection of State Highway 45 and FM 1626 and immediately north of the City of Hays. The proposed District is within the extraterritorial jurisdiction of the City of Hays. Access to the proposed District will be provided by FM 1626.

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

(1) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide a water supply for municipal uses, domestic uses, and commercial purposes; (2) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (3) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to gather, conduct, divert and control local storm water or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction; (4) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) purchase, construct, acquire, repair, extend and improve land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to provide such other facilities, systems, plants and enterprises as shall be consonant with all of the purposes for which the proposed District is created.

The Petition goes on to state that the District’s area will, in the immediate future, experience a substantial and sustained residential and commercial growth. The area is not currently supplied with adequate water and sanitary sewer facilities and services or with adequate drainage facilities, or roads or improvements in aid thereof.

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.

As discussed below, the ED recommends granting the City of Hays hearing request as well as hearing requests from a number of individuals and denying all other requests, including all those from groups and associations.

Included with the ED's response are: Attachment A (map of the proposed District with hearing requestors numbered) and Attachment B (appendix of hearing requestors).

## II. PROCEDURAL HISTORY

The Petitioner filed an application with the TCEQ for the creation of the District, and it was declared administratively complete on June 29, 2023. The Notice of District Petition was published on August 17 and 24, 2023, in the *San Marcos Daily Record*, a newspaper regularly published or circulated in Hays County, the county in which the proposed District is proposed to be located. The Notice of District Petition was also posted on August 29, 2023, on the bulletin boards used for posting legal notices in the Hays County Courthouse. The TCEQ received 38 comments opposing the creation of the district and 60 timely requests for a contested case hearing. The period to request a contested case hearing ended on September 25, 2023.

The Office of the Chief Clerk sent notice of the agenda setting for the Commission's consideration of the hearing requests on March 6, 2024.

## 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. 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).

## V. HEARING REQUESTS

### A. *Analysis of the City of Hays' Hearing Request*<sup>1</sup>

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

Joshua D. Katz, on behalf of the City of Hays, submitted a timely request which contained his name, address, and phone number pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). Mr. Katz requested a contested case hearing pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4). He also provided the internal control number as required in the notice and pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(4).

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<sup>1</sup> The application materials indicate that the City of Hays did not consent to the creation nor did it respond to the Petitioner's Petition for Consent or the Petitioner's Petition for Water and Sanitary Sewer Service. The City of Hays requested a contested case hearing.

## **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 Hays 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 August 29, 2022, 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.

### ***B. Analysis of Hearing Requests by Groups or Associations***

#### **1. *Greater Edwards Aquifer Alliance (GEAA)***

Annalisa Peace, on behalf of the Greater Edwards Aquifer Alliance (GEAA), submitted a 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).

To be an affected person under 30 TEX. ADMIN. CODE § 55.252, a group or association must meet three requirements: 1) one or more members of the group must have standing to request a hearing in their own right; 2) the interests the group seeks to protect must be germane to the organization's purpose; and 3) neither the claim asserted or the relief requested requires the participation of the individual member(s) in the case. While GEAA alleges that it has multiple members who will be affected, no names or supporting evidence is provided to bolster this claim. Therefore, GEAA has failed to satisfy the requirement of 30 TEX. ADMIN. CODE § 55.252(a)(1). Because a group or association must satisfy all three requirements of 30 TEX. ADMIN. CODE § 55.252, the Executive Director recommends finding that GEAA is not an affected person. Accordingly, the ED recommends denial of the organization's hearing request.

#### **2. *Save Barton Creek Association (SBCA)***

Brian Zabcik and Clark Hancock, on behalf of the Save Barton Creek Association (SBCA), submitted a 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).

To be an affected person under 30 TEX. ADMIN. CODE § 55.252, a group or association must meet three requirements: 1) one or more members of the group must have standing to request a hearing in their own right; 2) the interests the group seeks to protect must be germane to the organization's purpose; and 3) neither the claim

asserted or the relief requested requires the participation of the individual member(s) in the case. While SBCA alleges that it has multiple members who will be affected, no names or supporting evidence is provided to bolster this claim. Therefore, SBCA has failed to satisfy the requirement of 30 TEX. ADMIN. CODE § 55.252(a)(1). Because a group or association must satisfy all three requirements of 30 TEX. ADMIN. CODE § 55.252, the Executive Director recommends finding that SBCA is not an affected person. Accordingly, the ED recommends denial of the organization's hearing request.

### **3. *Save Our Springs Alliance (SOS)***

Victoria Rose, on behalf of the Save Our Springs Alliance (SOS), submitted a timely request which contained her name, phone number, 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).

To be an affected person under 30 TEX. ADMIN. CODE § 55.252, a group or association must meet three requirements: 1) one or more members of the group must have standing to request a hearing in their own right; 2) the interests the group seeks to protect must be germane to the organization's purpose; and 3) neither the claim asserted or the relief requested requires the participation of the individual member(s) in the case.

SOS alleges that members Jim and Elizabeth Camp would otherwise have standing to request a hearing in their own right. According to SOS's request (confirmed on the map), the Camps live within one mile of the proposed MUD, and their property relies on groundwater from the Edwards and Trinity Aquifers. SOS states that the Camps are concerned that their health and safety will be put at risk along with their economic, property, and aesthetic interests. SOS raised issues pertaining to groundwater levels, contamination of groundwater, recharge rates of the aquifer, and destruction of character in the surrounding area. Due to the Camps' close proximity and the nature of their concerns, the Executive Director has determined that the Camps are affected persons and have standing to request a contested case hearing in their own right. Therefore, SOS has satisfied the first requirement of 30 TEX. ADMIN. CODE § 55.252.

30 TEX. ADMIN. CODE § 55.252 also requires that the interests the group seeks to protect be germane to the organization's purpose. As stated in its hearing request, SOS's purpose is to "protect the Edwards Aquifer, its springs and contributing streams, and the natural and cultural heritage of the Hill Country region and its watersheds." SOS also states that a strong emphasis is placed on the protection of Barton Springs. As the interests SOS seeks to protect, water quality and recharge ability in Edwards Aquifer, are directly related to the organization's stated purpose, the second requirement of 30 TEX. ADMIN. CODE § 55.252 is satisfied.

The last requirement of 30 TEX. ADMIN. CODE § 55.252 is that neither the claim asserted nor the relief requested requires the participation of the individual member(s) in the case. Here, this requirement is fulfilled. The Camps are not required participants in this case, nor does any relief requested require their participation. Therefore, since all three requirements of 30 TEX. ADMIN. CODE § 55.252 have been met, the Executive Director recommends finding that SOS is an affected person and granting the organization's hearing request.

### ***C. Analysis of Hearing Requests by Individuals***

#### ***1. Individuals' Hearing Requests that the ED Recommends Granting***

Each of the individuals discussed in this section submitted an individual, timely request which contained the requestors name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They each 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).

Karen Aboussie (#1 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality, recharge capability of a groundwater source, and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately .38 miles from the proposed 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.

Erin Andrews (#2 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.78 miles from the proposed 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.

James Barnett (#3 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.31 miles from the proposed 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.

Molly Blake (#6 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.19 miles from the proposed 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.

Daniela Bradsher (#7 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and

groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.88 miles from the proposed 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.

Philip Brisky (#8 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, groundwater levels in the region, and recharge capability of a groundwater source. He 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. According to the address provided by the requestor, his property is located approximately 0.41 miles from the proposed 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.

Jim and Elizabeth Camp (#9 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality and runoff. They 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. According to the address provided by the requestors, their property is located approximately 0.89 miles from the proposed 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.

Theresa Clements-Lemman (#10 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and runoff, 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. According to the address provided by the requestor, her property is located approximately 0.07 miles from the proposed 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.

Juanita Cooper (#11 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to 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. According to the address provided by the requestor, her property is located approximately 0.88 miles from the proposed 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.

Jack Givens (#13 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.98 miles from the proposed 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.

Roy and Carol Gordon (#14 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their property is located approximately 0.36 miles from the proposed 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.

James Jackson (#16 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.42 miles from the proposed 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.

Stacey Knight (#18 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.44 miles from the proposed 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.

William Knight (#19 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to runoff. He 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. According to the address provided by the requestor, his property is located approximately 0.44 miles from the proposed 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.

Adrielyn Lamb and Mike Givens (#20 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their property is located approximately 0.98 miles from the proposed 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.

Tina Latham (#21 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality, runoff, and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.25 miles from the proposed 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 Lemman (#23 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.07 miles from the proposed 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.

Jenny Lindsey (#24 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality, runoff, and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.40 miles from the proposed 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.

Erika and David Marcoux (#25 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, runoff, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their property is located approximately 0.88 miles from the proposed 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 McGimsey (#27 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by

the requestor, his property is located approximately 0.35 miles from the proposed 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.

Linda and Gerald McKnight (#28 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, runoff, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their property is located approximately 0.20 miles from the proposed 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.

Matthew Moccia (#30 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality and runoff. He 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. According to the address provided by the requestor, his property is located approximately 0.14 miles from the proposed 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.

Barbara Reeves (#35 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.93 miles from the proposed 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.

Doyle Shultz (#39 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.02 miles from the proposed 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.

Darlene and Michael Starr (#40 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their

property is located approximately 0.19 miles from the proposed 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.

Ted Thayer (#41 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.02 miles from the proposed 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.

Antonio Sanchez Valdez and Lydia Bryan-Valdez (#43 on the map) identified their personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); they raised issues relating to water quality, groundwater levels in the region, runoff, and recharge capability of a groundwater source. They 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. According to the address provided by the requestors, their property is located approximately 0.02 miles from the proposed 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.

Michael Warnken (#44 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.18 miles from the proposed 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.

Royce Warnken (#45 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.14 miles from the proposed 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.

Keith Whittington (#46 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.11 miles from the proposed

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.

Courtney Shea Williamson (#47 on the map) identified her personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); she raised issues relating to water quality and groundwater levels in the region, 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. According to the address provided by the requestor, her property is located approximately 0.43 miles from the proposed 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.

Frank Lee Ybarra (#22 on the map) identified his personal justiciable interest pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(2); he raised issues relating to water quality, runoff, and groundwater levels in the region. He 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. According to the address provided by the requestor, his property is located approximately 0.89 miles from the proposed 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***

Each of the individuals discussed in this section submitted an individual, timely request which contained the requestors name and address pursuant to 30 TEX. ADMIN. CODE § 55.251(c)(1). They each 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).

Alonna Michelle Beatty (#4 on the map) failed to raise any issues in her hearing request that would explain why she is an affected person. According to the address provided by the requestor, her property is located approximately 0.49 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Hannah Belden (#5 on the map) failed to raise any issues in her hearing request that would explain why she is an affected person. According to the address provided by the requestor, her property is located approximately 0.53 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

David Derrick's (#12 on the map) hearing request raised general concerns regarding negative impacts on Barton Springs, but this is not an issue the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, his property is located approximately 0.76 miles from the proposed district. The Executive Director recommends that the commission find that he is not an affected person and deny his hearing request.

Frances Hargrove's (#15 on the map) hearing request raised general concerns regarding the environment, negative effects on the aquifer, and traffic, but these are not issues the Commission may consider when reviewing a MUD creation application. According

to the address provided by the requestor, her property is located approximately 0.39 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Chris Knight (#17 on the map) failed to raise any issues in his hearing request that would explain why he is an affected person. According to the address provided by the requestor, his property is located approximately 0.44 miles from the proposed district. The Executive Director recommends that the commission find that he is not an affected person and deny his hearing request.

Glenda Matthews' (#26 on the map) hearing request raised general concerns about effects on the aquifer, not having water for watering her lawn, and her surroundings being disrupted, but these are not issues the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, her property is located approximately 0.95 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Katie Moccia (#29 on the map) failed to raise any issues in her hearing request that would explain why she is an affected person. According to the address provided by the requestor, her property is located approximately 0.14 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Brandon Morales (#31 on the map) failed to raise any issues in his hearing request that would explain why he is an affected person. Additionally, according to the address provided by the requestor, his property is located approximately 2.11 miles from the proposed district. As such, his location on the TCEQ generated map indicates that he does not own property in close proximity to the District. The Executive Director recommends that the commission find that he is not an affected person and deny his hearing request.

Carol Pennington's (#33 on the map) hearing request raised general concerns about effects on the aquifer, endangered species, light pollution, oak trees, and potential selling of water, but these are not issues the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, her property is located approximately 0.59 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Ramon Raun-Byberg's (#34 on the map) hearing request, raised general concerns regarding negative impacts on humans and wildlife, light pollution, traffic, and prescription drugs, but these are not issues the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, his property is located approximately 0.40 miles from the proposed district. The Executive Director recommends that the commission find that he is not an affected person and deny his hearing request.

Kody Schouten (#37 on the map) raised issues relating to water quality, runoff, and groundwater levels in the region in his hearing request. Based on the address provided in the request, the requestor's property is located approximately 1.50 miles from the proposed district. As such, his location on the TCEQ generated map indicates that he does not own property in close proximity to the District. The Executive Director

recommends that the commission find that he is not an affected person and deny his hearing request.

Lindsey Schouten's (#38 on the map) hearing request raised general concerns about traffic and water supply, but these are not issues the Commission may consider when reviewing a MUD creation application. Based on the address provided in the request, the requestor's property is located approximately 2.35 miles from the proposed district. As such, her location on the TCEQ generated map indicates that she does not own property in close proximity to the District. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Amber Thompson's (#42 on the map) hearing request raised general concerns regarding costs, tax increases, safety, and traffic, but these are not issues the Commission may consider when reviewing a MUD creation application. Based on the address provided in the request, the requestor's property is located approximately 1.35 miles from the proposed district. As such, her location on the TCEQ generated map indicates that she does not own property in close proximity to the District. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Dee Wright's (#48 on the map) hearing request raised general concerns about water contamination and supply, but these are not issues sufficiently unique to Ms. Wright to constitute a personal justiciable interest. Furthermore, the remaining issues raised by Ms. Wright, general concerns regarding lot sizes in the proposed development and potential future applicant misconduct, are not issues the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, her property is located approximately 0.92 miles from the proposed district. The Executive Director recommends that the commission find that she is not an affected person and deny her hearing request.

Aaron Yarbrough's (#49 on the map) hearing request raised general concerns regarding impervious groundcover and water sales by the developer, are not issues the Commission may consider when reviewing a MUD creation application. According to the address provided by the requestor, his property is located approximately 0.51 miles from the proposed district. The Executive Director recommends that the commission find that he is not an affected person and deny his hearing request.

## **VI. Recommendation**

The Executive Director recommends that the Commission grant the hearing requests of the City of Hays; Save Our Springs Alliance; Karen Aboussie; Erin Andrews; James Barnett; Molly Blake; Daniela Bradsher; Philip Brisky; Elizabeth and Jim Camp; Theresa Clements-Lemman; Juanita Cooper; Jack Givens; Roy and Carol Gordon; James Jackson; Stacey Knight; William Knight; Adrilyn Lamb and Mike Givens; Tina Latham; Tom Lemman; Jenny Lindsey; Erika and David Marcoux; John McGimsey; Linda and Gerald McKnight; Matthew Moccia; Barbara Reeves; Doyle Shultz; Darlene and Michael Starr; Ted Thayer; Antonio Sanchez Valdez and Lydia Bryan-Valdez; Michael Warnken; Royce Warnken; Keith Whittington; Courtney Shea Williamson; and Frank Lee Ybarra.

The Executive Director recommends that the Commission find that all other requestors, including Greater Edwards Aquifer Alliance and Save Barton Creek Association, are not affected persons and deny their hearing requests.

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

Respectfully submitted,

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

Kelly Keel, Executive Director

Charmaine Backens, Deputy Director  
Environmental Law Division

  
By: \_\_\_\_\_

Kayla Murray, Staff Attorney  
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REPRESENTING THE EXECUTIVE DIRECTOR OF  
THE TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

# Attachment A

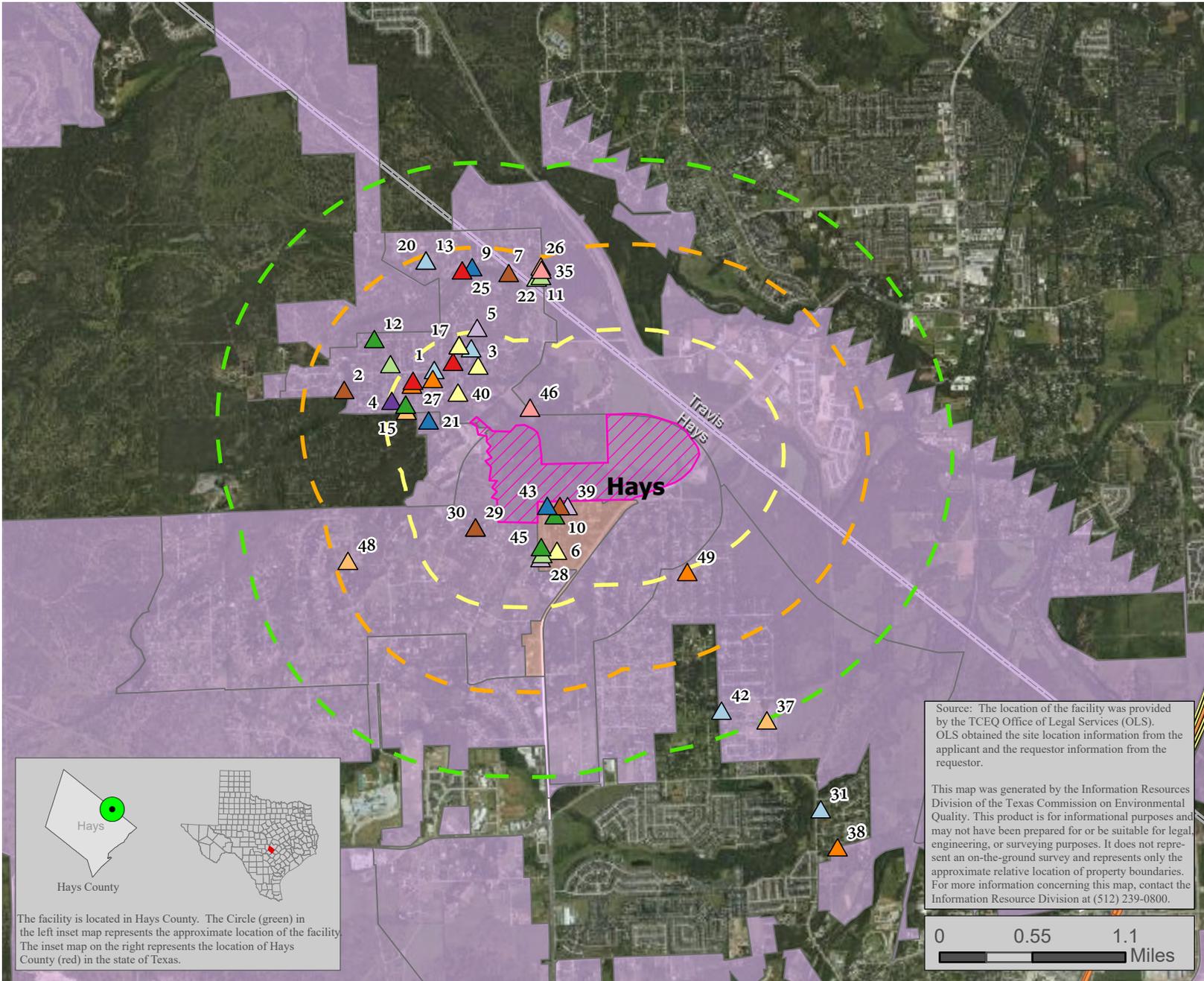
# For Creation of Hays Common Municipal Utility District

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: 11/9/2023  
CRF 0096835  
Cartographer: AlOrtiz



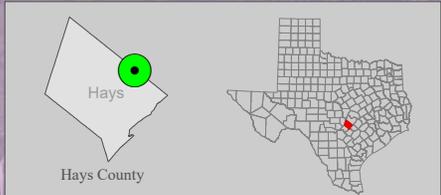
- Proposed MUD
- Hays County ETJ
- City of Hays
- 0.5 Miles from Proposed MUD
- 1.0 Mile from Proposed MUD
- 1.5 Miles from Proposed MUD

### Requestors

- |                           |                                   |
|---------------------------|-----------------------------------|
| 1) Aboussie, K.           | 25) Marcoux, E. & D.              |
| 2) Andrews, E.            | 26) Matthews, G.                  |
| 3) Barnett, J.            | 27) McGimsey, J.                  |
| 4) Beatty, A.M.           | 28) McKnight, L. & G.             |
| 5) Belden, H.             | 29) Moccia, K.                    |
| 6) Blake, M.              | 30) Moccia, M.                    |
| 7) Bradsher, D.           | 31) Morales, B.                   |
| 8) Brisky, P.             | 33) Pennington, C.                |
| 9) Camp, E. & J.          | 34) Raun-Byberg, R.               |
| 10) Clements-Lemman, T.   | 35) Reeves, B.                    |
| 11) Cooper, J.            | 37) Schouten, K.                  |
| 12) Derrick D.            | 38) Schouten, L.                  |
| 13) Givens, J.            | 39) Shultz, D.                    |
| 14) Gordon, C. & R.       | 40) Starr, D. & M.                |
| 15) Hargrove, F.          | 41) Thayer, T.                    |
| 16) Jackson, J.           | 42) Thompson, A.                  |
| 17) Knight, C.            | 43) Valdez, A. & Bryan-Valdez, L. |
| 18) Knight, S.            | 44) Warnken, M.S.                 |
| 19) Knight, W.            | 45) Warnken, R.                   |
| 20) Lamb, A. & Givens, M. | 46) Whittington, K.               |
| 21) Latham, T.            | 47) Williamson, C.S.              |
| 22) Lee Ybarra, F.        | 48) Wright, D.                    |
| 23) Lemman, T.            | 49) Yarbrough, A.                 |
| 24) Lindsey, J.           |                                   |

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.



The facility is located in Hays 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 Hays County (red) in the state of Texas.

Distances provided in Appendix A

# Attachment B

**Appendix A Hays Common Municipal Utility District Map**

	Name	Address	City	State	ZIP	Latitude	Longitude	Distance to Proposed MUD in Miles
1	Karen Aboussie	2402 Chaparral Park Rd	Manchaca	TX	78652	30.136389	-97.885422	0.38
2	Erin Andrews	1101 Live Oak Dr	Manchaca	TX	78652	30.134828	-97.894384	0.78
3	James Barnett	2107 Chaparral Park Rd	Manchaca	TX	78652	30.136695	-97.881062	0.31
4	Alonna Michelle Beatty	903 Bluebird Dr	Manchaca	TX	78652	30.133821	-97.88969	0.49
5	Hannah Belden	3615 Copperplace Dr	Manchaca	TX	78652	30.139928	-97.881089	0.53
6	Molly Blake	12622 Live Oak Ln	Buda	TX	78610	30.120706	-97.873609	0.19
7	Daniela Bradsher	3513 Cattleman Dr	Manchaca	TX	78652	30.144574	-97.877859	0.88
8	Philip Brisky	2200 Chaparral Park Rd	Manchaca	TX	78652	30.138191	-97.881717	0.41
9	Elizabeth And Jim Camp	3803 Cattleman Dr	Manchaca	TX	78652	30.145135	-97.881472	0.89
10	Theresa Clements-Lemman	12600 Live Oak Ln	Buda	TX	78610	30.123742	-97.8737461	0.07
11	Juanita Cooper	3405 Cattleman Dr	Manchaca	TX	78652	30.144138	-97.8751	0.88
12	David Derrick	2706 Robin Rd	Manchaca	TX	78652	30.13914	-97.891299	0.76
13	Jack Givens	13403 Ramrod Dr	Manchaca	TX	78652	30.145783	-97.886037	0.98
14	Carol And Roy Gordon	920 Hawk Dr	Manchaca	TX	78652	30.13706	-97.883537	0.36
15	Frances Hargrove	2505 Cardinal Dr	Manchaca	TX	78652	30.132939	-97.888252	0.39
16	James Jackson	910 Dove Dr	Manchaca	TX	78652	30.135172	-97.88765	0.42

**Appendix A Hays Common Municipal Utility District Map**

	Name	Address	City	State	ZIP	Latitude	Longitude	Distance to Proposed MUD in Miles
17	Chris Knight	2208 Chaparral Park Rd	Manchaca	TX	78652	30.138471	-97.882913	0.44
18	Stacey Knight	2208 Chaparral Park Rd	Manchaca	TX	78652	30.138471	-97.882913	0.44
19	William Knight	2208 Chaparral Park Rd	Manchaca	TX	78652	30.138471	-97.882913	0.44
20	Adrilyn Lamb And Mike Givens	13403 Ramrod Dr	Manchaca	TX	78652	30.145783	-97.886037	0.98
21	Tina Latham	811 Dove Dr	Manchaca	TX	78652	30.132077	-97.886073	0.25
22	Frank Lee Ybarra	3407 Bliss Spillar Rd	Manchaca	TX	78652	30.144275	-97.874669	0.89
23	Tom Lemman	12600 Live Oak Ln	Buda	TX	78610	30.123742	-97.8737461	0.07
24	Jenny Lindsey	901 Mockingbird Dr	Manchaca	TX	78652	30.133467	-97.888319	0.40
25	Erika And David Marcoux	3807 Cattleman Dr	Manchaca	TX	78652	30.14488	-97.882468	0.88
26	Glenda Matthews	3415 Bliss Spillar Rd	Manchaca	TX	78652	30.14508	-97.874663	0.95
27	John Mcgimsey	913 Hawk Dr	Manchaca	TX	78652	30.135621	-97.885583	0.35
28	Linda And Gerald Mcknight	12628 Red Bud Trl	Buda	TX	78610	30.120101	-97.875239	0.20
29	Katie Moccia	42 Country Oaks Dr	Buda	TX	78610	30.122833	-97.881633	0.14
30	Matthew Moccia	42 Country Oaks Dr	Buda	TX	78610	30.122833	-97.881633	0.14
31	Brandon Morales	112 Shannons Way	Buda	TX	78610	30.098122	-97.847984	2.11
32	Annalisa Peace On Behalf Of Groups Of The Greater Edwards Aquifer Alliance	1809 Blanco Rd	San Antonio	TX	78212	29.462793	-98.508148	59.14

**Appendix A Hays Common Municipal Utility District Map**

	Name	Address	City	State	ZIP	Latitude	Longitude	Distance to Proposed MUD in Miles
33	Carol Pennington	1005 Bluebird Dr	Manchaca	TX	78652	30.136965	-97.889751	0.59
34	Ramon Raun-Byberg	901 Mockingbird Dr	Manchaca	TX	78652	30.133467	-97.888319	0.40
35	Barbara Reeves	3411 Bliss Spillar Rd	Manchaca	TX	78652	30.144809	-97.874624	0.93
36	Victoria Rose On Behalf Of Save Our Springs Alliance	4701 Westgate Blvd, Building D, Suite 401	Austin	TX	78745	30.228702	-97.80087	7.63
37	Kody Schouten	804 Laurel Cv	Buda	TX	78610	30.105824	-97.853149	1.50
38	Lindsey Schouten	102 Amandas Way	Buda	TX	78610	30.094835	-97.846392	2.35
39	Doyle Shultz	530 Country Ln	Buda	TX	78610	30.1245143	-97.8724708	0.02
40	Darlene And Michael Starr	2301 Sparrow Dr	Manchaca	TX	78652	30.134419	-97.883113	0.19
41	Ted Thayer	534 Country Ln	Buda	TX	78610	30.124527	-97.873233	0.02
42	Amber Thompson	200 Bermuda Ln	Buda	TX	78610	30.106735	-97.857622	1.35
43	Antonio Valdez And Lydia Bryan-Valdez	546 Country Ln	Buda	TX	78610	30.12457	-97.8744902	0.02
44	Michael Stephen Warnken	12624 Red Bud Trl	Buda	TX	78610	30.120445	-97.875072	0.18
45	Royce Warnken	12620 Red Bud Trl	Buda	TX	78610	30.121042	-97.875164	0.14
46	Keith Whittington	13511 Carpenter Ln	Manchaca	TX	78652	30.133	-97.876	0.11

**Appendix A Hays Common Municipal Utility District Map**

	Name	Address	City	State	ZIP	Latitude	Longitude	Distance to Proposed MUD in Miles
47	Courtney Shea Williamson	912 Dove Dr	Manchaca	TX	78652	30.135503	-97.887544	0.43
48	Dee Wright	1530 Little Bear Rd	Buda	TX	78610	30.120185	-97.894328	0.92
49	Aaron Yarbrough	12608 Crystal Creek Dr	Buda	TX	78610	30.118671	-97.860745	0.51
50	Brian Zabcik On Behalf Of Save Barton Creek Association	15241 State Highway 53	Temple	TX	76501	31.044761	-97.182606	74.83

MAILING LIST  
Hays Commons Municipal Utility District  
Docket No. 2023-1588-DIS; Internal Control No. D-06282023-060

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<https://www.tceq.texas.gov/goto/efilings>

REQUESTER(S)/INTERESTED PERSON(S):

See attached list.

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Andrews, Dr. Erin  
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Barnett III, James C  
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Manchaca Tx 78652-3108

Beatty, Alonna Michelle  
903 Bluebird Dr  
Manchaca Tx 78652-4155

Belden, Hannah  
3615 Copperplace Dr  
Manchaca Tx 78652-3100

Blake, Molly  
12622 Live Oak Ln  
Buda Tx 78610-9322

Bradsher, Daniela  
3513 Cattleman Dr  
Manchaca Tx 78652-3112

Brisky, Philip  
2200 Chaparral Park Rd  
Manchaca Tx 78652-4109

Camp, Elizabeth & Jim  
3803 Cattleman Dr  
Manchaca Tx 78652-3042

Clements-Lemman, Theresa  
12600 Live Oak Ln  
Buda Tx 78610-9315

Cooper, Juanita  
3405 Cattleman Dr  
Manchaca Tx 78652-3110

Derrick, David  
2706 Robin Rd  
Manchaca Tx 78652-4173

Givens, Jack  
13403 Ramrod Dr  
Manchaca Tx 78652-3039

Gordon, Carol & Roy  
920 Hawk Dr  
Manchaca Tx 78652-4177

Hargrove, Frances  
2505 Cardinal Dr  
Manchaca Tx 78652-4129

Jackson, James J  
910 Dove Dr  
Manchaca Tx 78652-4142

Katz, Joshua D  
Bickerstaff Heath Delgado Acosta LLP  
Bldg 1, Ste 300  
3711 S Mopac Expy  
Austin Tx 78746-8013

Knight, Chris W  
2208 Chaparral Park Rd  
Manchaca Tx 78652-4109

Knight, Stacey  
2208 Chaparral Park Rd  
Manchaca Tx 78652-4109

Knight, William L  
2208 Chaparral Park Rd  
Manchaca Tx 78652-4109

Lamb, Adrilyn & Givens, Mike  
13403 Ramrod Dr  
Manchaca Tx 78652

Latham, Tina  
811 Dove Dr  
Manchaca Tx 78652-4141

Lemman, Tom E  
12600 Live Oak Ln  
Buda Tx 78610-9315

Lindsey, Jenny  
901 Mockingbird Dr  
Manchaca Tx 78652-4151

Marcoux, David  
3807 Cattleman Dr  
Manchaca Tx 78652-3042

Marcoux, Erika  
3807 Cattleman Dr  
Manchaca Tx 78652-3042

Marcoux, David & Erika  
3807 Cattleman Dr  
Manchaca Tx 78652

Matthews, Glenda  
3415 Bliss Spillar Rd  
Manchaca Tx 78652-3121

McGimsey, John T  
913 Hawk Dr  
Manchaca Tx 78652-4178

McKnight, Gerald & Linda  
12628 Red Bud Trl  
Buda Tx 78610-9325

Moccia, Katie  
42 Country Oaks Dr  
Buda Tx 78610-9338

Moccia, Matthew  
42 Country Oaks Dr  
Buda Tx 78610-9338

Morales, Brandon  
112 Shannons Way  
Buda Tx 78610-3204

Peace, Annalisa  
Greater Edwards Aquifer Alliance  
1809 Blanco Rd  
San Antonio Tx 78212-2616

Peace, Annalisa  
Greater Edwards Aquifer Alliance  
Po Box 15618  
San Antonio Tx 78212-8818

Pennington, Carol  
1005 Bluebird Dr  
Manchaca Tx 78652-4157

Raun-Byberg, Ramon  
901 Mockingbird Dr  
Manchaca Tx 78652-4151

Reeves, Barbara  
3411 Bliss Spillar Rd  
Manchaca Tx 78652-3121

Rose, Victoria  
Save Our Springs Alliance  
Ste D401  
4701 W Gate Blvd  
Austin Tx 78745-1479

Schouten, Kody  
804 Laurel Cv  
Buda Tx 78610-2874

Schouten, Lindsey  
102 Amandas Way  
Buda Tx 78610-2897

Shultz III, Doyle  
530 Country Ln  
Buda Tx 78610-9314

Starr, Darlene & Michael  
2301 Sparrow Dr  
Manchaca Tx 78652-4180

Thayer, Ted M  
534 Country Ln  
Buda Tx 78610-9314

Thompson, Amber  
200 Bermuda Ln  
Buda Tx 78610-2880

Valdez, Antonio & Bryan-Valdez, Lydia  
546 Country Ln  
Buda Tx 78610-9398

Warnken, Michael Stephen  
12624 Red Bud Trl  
Buda Tx 78610-9325

Warnken, Royce N  
12620 Red Bud Trl  
Buda Tx 78610-9325

Whittington, Keith L  
13511 Carpenter Ln  
Manchaca Tx 78652-3142

Williamson, Courtney Shea  
912 Dove Dr  
Manchaca Tx 78652-4142

Wright, Dee  
1530 Little Bear Rd  
Buda Tx 78610-3004

Yarbrough, Aaron  
12608 Crystal Creek Dr  
Buda Tx 78610-2560

Ybarra, Frank Lee  
3407 Bliss Spillar Rd  
Manchaca Tx 78652-3120

Zabcik, Brian  
Save Barton Creek Association  
Unit 670  
15241 State Highway 53  
Temple Tx 76501-3489

INTERESTED PERSON(S)

Belden, Danielle  
3615 Copperplace Dr  
Manchaca Tx 78652-3100

Bernhard, Beth A  
189 Belwood Dr  
Buda Tx 78610-2283

Christopher, Scott  
703 Patriot Dr  
Buda Tx 78610-2281

Daniel, Jonathan Wade  
249 Kates Cv  
Buda Tx 78610-3238

DaSantos, Chloe  
140 Madisons Cv  
Buda Tx 78610-3218

DaSantos, Grant  
140 Madisons Cv  
Buda Tx 78610-3218

Davis, Harvey Lee  
12604 Red Bud Trl  
Buda Tx 78610-9325

Devries, Wesley  
121 Devon's Cv  
Buda Tx 78610

Favors, Marla  
1335 Oyster Crk  
Buda Tx 78610-2284

Ferman, S  
188 Belwood Dr  
Buda Tx 78610-2283

Fierro, Sherry Palmer  
107 Aster Cv  
Buda Tx 78610-3251

Garner, James  
617 Patriot Dr  
Buda Tx 78610-2151

Gerami, Lorraine  
185 Amandas Way  
Buda Tx 78610-2925

Gerami Jr, Robert Wayne  
185 Amandas Way  
Buda Tx 78610-2925

Gros, Judy  
203 Treetop Way  
Buda Tx 78610-2840

Hancock, Clark & Zabcik, Brian  
Save Barton Creek Association  
Unit 670  
15241 State Highway 53  
Temple Tx 76501-3489

Johnson, Heather  
159 Patriot Dr  
Buda Tx 78610-3098

Lamb, Adrilyn  
13403 Ramrod Dr  
Manchaca Tx 78652-3039

Laracuenta III, Mario Andre  
12625 Iron Bridge Dr  
Manchaca Tx 78652-5617

McAnelly, Cristi  
241 McKennas Cv  
Buda Tx 78610-3241

McKibben, Heather  
369 Kates Cv  
Buda Tx 78610-3236

McKibben, Will  
369 Kates Cv  
Buda Tx 78610-3236

O'Grady, Karen  
167 Madisons Way  
Buda Tx 78610-3240

Owens, Amanda Owens  
13415 Copper Hills Dr  
Manchaca Tx 78652-3137

Plascencia, Cristian  
3501 Cattleman Dr  
Manchaca Tx 78652-3112

Powers, Jacqueline S  
257 Carolyns Way  
Buda Tx 78610-3210

Raymond, Alicia  
2018 Chaparral Park Rd  
Manchaca Tx 78652-3105

Reves, Joseph  
144 Belwood Dr  
Buda Tx 78610-2283

Starr, Michael  
2301 Sparrow Dr  
Manchaca Tx 78652-4180

Vo, Ryan  
1664 Oyster Crk  
Buda Tx 78610-3093

Walsh, Brian  
813 Pine Siskin Dr  
Buda Tx 78610-2666

Walsh, Sasha  
813 Pine Siskin Dr  
Buda Tx 78610-2666

Wood, Carolyn  
310 Lakewood Dr  
Buda Tx 78610-2575

Young, Michael  
167 Madisons Way  
Buda Tx 78610-3240