

TCEQ DOCKET NO. 2023-1665-DIS

APPLICATION FOR CREATION OF	§	BEFORE THE TEXAS
PERSIMMON MUNICIPAL UTILITY	§	COMMISSION ON
DISTRICT	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR’S RESPONSE TO HEARING REQUESTS

The Executive Director (ED) of the Texas Commission on Environmental Quality (the Commission or TCEQ) files this Response to the Hearing Requests (Response) on the Petition by Bailey Land Investments, LP and Armbruster Land Investments (Petitioners) for the creation of Persimmon Municipal Utility District (District). The Office of the Chief Clerk received hearing requests from Art Arizpe, Michael Baran, Darren Bien, The City of Buda, Debra Dulski, Connie Faber, David Fletcher, James Flores, Carol Gee, Gail Hall, Gerald Haschke, Susan Hernandez, Bryan Huddleston, Shawna-Lee Huskey, Virginia Jurika, Shawna-Lee Huskey, Brett Koger, Jeffrey C. Kaufmann, Stephen Kent Kinslow, JP Kirksey, Marta E Knight, Aimee Lakey, Phillip Lakey, Robert Lambert, Elena Mares-Coyote, Jesus Mares, Sharon Neukam, Connie Nicholson, Cynthia C. Pasadeos, Robin Perry, Scott Perry, Janet Pierce, Blythe Powell, Roxanne Rios, Kathy Sellstrom, Nathan Sewell, Kody Schouten, Sara Shannon, Natalie Gilmer, Martha Terrel, Sandra Tidwell, James Van Eyk, Doug Walker, Kerrie Webb, and Rep. Erin Zwiener.

Attached for Commission consideration are the following:

Attachment A—Executive Director’s Satellite Map.

The ED recommends that the Commission find City of Buda, Shawna-Lee Huskey, Brett Koger, Jesus Mares, Kody Schouten, and Kerri Webb are Affected Persons and grant their Hearing Requests.

The ED recommends denying the hearing requests of Art Arizpe, Michael Baran, Darren Bien, Debra Dulski, Connie Faber, David Fletcher, James Flores, Carol Gee, Gail Hall, Gerald Haschke, Susan Hernandez, Bryan Huddleston, Virginia Jurika, Jeffrey C Kaufmann, Stephen Kent Kinslow, JP Kirksey, Marta E. Knight, Aimee Lakey, Phillip Lakey, Robert Lambert, Elena Mares-Coyote, Sharon Neukam, Connie Nicholson, Cynthia C Pasadeos, Robin Perry, Scott Perry, Janet Pierce, Blythe Powell, Roxanne Rios, Kathy Sellstrom, Nathan Sewell, Sara Shannon, Natalie Gilmer, Martha Terrel, Sandra Tidwell, James Van Eyk, Doug Walker, and Rep. Erin Zwiener.

I. DESCRIPTION OF DISTRICT

The Petitioners filed a petition for creation of the District with TCEQ. The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of TCEQ.

The petition states that: the Petitioners hold title to a majority in value of the land to be included in the proposed District; there are two lienholders, International Bank of Commerce and Labenski Branch, LP, a Texas limited partnership, on the property to be included in the proposed District and information provided indicates

that the lienholders consent to the creation of the proposed District; the proposed District will contain approximately 459 acres located within Hays County, Texas; and the land within the proposed District is within the extraterritorial jurisdiction of the City of Buda. The proposed district will be located approximately 750 feet north of the Haleys Way Drive and FM 967 intersection.

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

II. PROCEDURAL HISTORY

TCEQ received the petition on June 16, 2023. The Application was declared administratively complete on June 16, 2023.

Proper notice of the application was published on August 17 and August 24, 2023, in the *San Marcos Daily Record*, a newspaper regularly published or circulated in Hays County, the county in which the district is proposed to be located. Proper notice of the application was posted on August 29, 2023, in the Hays County Courthouse, the place where legal notices in Hays County are posted. Accordingly, the notice requirements of 30 TAC § 293.12(b) have been satisfied. The opportunity for the public to request a contested case hearing (comment period) expired September 25, 2023.

In accordance with Local Government Code § 42.042 and Texas Water Code § 54.016, the Petitioners submitted a petition to the City of Buda, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioners submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and the information provided indicates that the Petitioners and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code § 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the proposed District.

III. CREATION OF MUNICIPAL UTILITY DISTRICTS

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 § 54.001. 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. § 54.012. the commission has jurisdiction to hear this case and create the district.¹

The Commission must grant or deny a MUD creation application in accordance with Section 54.021 of the Texas Water Code. 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.² If the commission fails to make these findings, it shall refuse to grant the petition.³

In determining if the 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.⁴

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.⁵

¹ Tex. Water Code § 54.014.

² Tex. Water Code § 54.021(a); 30 Tex. Admin. Code § 293.13(b)(1).

³ Tex. Water Code § 54.021(d); 30 Tex. Admin. Code § 293.13(a).

⁴ Tex. Water Code § 54.021(b).

⁵ 30 Tex. Admin. Code § 293.13(b)(2); Tex. Water Code § 54.021(c).

IV. THE 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 applicant, or affected persons may request a contested case hearing on this application.⁶ The Commission must evaluate the hearing requests and may take on 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 request to SOAH for a hearing on whether the hearing requests meet the rule requirements.⁷

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.⁸ 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.⁹

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.¹⁰ 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;

⁶ 30 Tex. Admin. Code § 55.251(a).

⁷ 30 Tex. Admin. Code § 55.255(a).

⁸ 30 Tex. Admin. Code § 55.251(b) and (d).

⁹ 30 Tex. Admin. Code § 55.251(c).

¹⁰ 30 Tex. Admin. Code § 55.256(a).

- (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;
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
- (6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.¹¹

Government entities, including local governments, may be affected persons if they have authority under state law over issues contemplated by the application.¹²

V. THE HEARING REQUESTS

A. Analysis of Affected Persons

- The City of Buda

The City of Buda submitted a timely request through its attorney which contained a name, address, and phone number pursuant to 30 TAC § 55.251(c)(1). The City requested a contested case hearing pursuant to 30 TAC § 55.251(c)(3). The City also provided the internal control number for the MUD as required in the notice and pursuant to 30 TAC § 55.251(c)(4). Furthermore, the City identified its statutory authority and interests in the issues relevant to the application pursuant to 30 TAC § 55.256(c)(6). Specifically, the City stated that it has not given consent to the creation of the district as required under TWC § 54.016.

It is undisputed that the proposed district is partially within the extraterritorial jurisdiction of the City Buda. The Executive Director therefore recommends finding that the City is an affected person. The issue of city consent is an interest that is protected by the law under which the application will be considered, and a reasonable relationship exists between the interest claimed and the activity regulated as a result of a portion of the proposed district being within the City ETJ. 30 TAC § 55.256(a)(1) and (3).

The petitioner indicated in the materials they provided to Executive Director staff that no mutually agreeable contract exists. If, as it appears, the City failed to enter a mutually agreeable contract during the 120-day time period, then the landowners would have authorization “to initiate proceedings to include the land within the district as otherwise provided by this Act.” TWC § 54.016(c).

As part of their argument for affectedness, the City also stated that portions of the district are located within its Water CCN. According to the Executive Director staff memo, the City does have a CCN which covers some area in the district. The City contends that the District will interfere with the City’s obligations as a CCN holder. The ED concluded from the application materials that the District will create infrastructure to supply water and wastewater services. Availability of comparable services is one of the factors TCEQ is to examine under TWC § 54.016.

¹¹ 30 Tex. Admin. Code § 55.256(c).

¹² 30 Tex. Admin. Code § 55.256(b).

The issues identified in the City's request are both material and relevant to the creation of the proposed District. Therefore, the ED recommends that the Commission find the City of Buda an affected person.

- Shawna-Lee Huskey, Brett Koger, Jesus Mares, Kody Schouten, and Kerri Webb.

Each of these requestors submitted a timely request which contained their name, address, and phone number pursuant to 30 TAC § 55.251(c)(1). According to the addresses they provided, the properties identified in the requests are located less than ½ mile from the boundary of the proposed District. Specifically, the properties they identified are located respectively 0.18, 0.05, 0.10, 0.07, and 0.32 miles from the district.

These individuals requested contested case hearings on the MUD creation pursuant to 30 TAC § 55.251(c)(3), and they also provided the internal control number as required in the notice and pursuant to 30 TAC § 55.251(c)(4).

In their requests, these individuals raised specific issues regarding the district's impact on their homes and property. Their concerns primarily were the district's drainage impacts and impacts on water quality, with particular emphasis on groundwater. The property interests identified in their requests are all in close proximity to the district boundary. These include the district's impacts to nearby private wells and the possibility of impact to the natural run-off rates and drainage.

Pursuant to TWC § 54.021, the Commission shall consider whether the district and its system and subsequent development within the district will have an unreasonable effect on several issues including groundwater levels, recharge capability of a groundwater source, water quality, natural run-off rates and drainage. In their requests, the requestors raised concerns about the district's impact on the issues specifically listed under TWC § 54.021.

Having tied unique justiciable interests to factors the commission is statutorily required to consider as part of the creation approval process, the ED recommends that Brett Koger, Shawna-Lee Huskey, Jesus Mares, Kody Schouten, and Kerri Webb are affected persons and grant their hearing requests.

B. Analysis of Non-Affected Persons

- Susan Hernandez and Doug Walker.

Ms. Hernandez and Mr. Walker each submitted a request which contained their name, address, and phone number pursuant to 30 TAC § 55.251(c)(1). According to the addresses they provided, the properties identified in the requests are located less than 1 mile from the boundary of the proposed District. These individuals also requested contested case hearings on the MUD creation pursuant to 30 TAC § 55.251(c)(3), and they also provided the internal control number as required in the notice and pursuant to 30 TAC § 55.251(c)(4). Both of them also identified ways that they believe they will be uniquely impacted as a result of the creation.

However, pursuant to 30 TAC § 55.251(d), hearing requests must be filed with the chief clerk within the time period specified in the notice. The notice of creation was last published on August 24, 2023, and the comment period closed

September 25, 2023. According to the Commissioner's Integrated Database, Ms. Hernandez submitted her hearing request on October 11, 2023, and Mr. Walker submitted his request on September 27, 2023. Therefore, both of the individuals failed to file a timely hearing request, and the ED recommends that the Commission deny their hearing requests.

- Art Arizpe, Michael Baran, Darren Bien, Debra Dulski, Connie Faber, David Fletcher, James Flores, Carol Gee, Gail Hall, Gerald Haschke, Bryan Huddleston, Virginia Jurika, Jeffrey C. Kaufmann, Stephen Kent Kinslow, JP Kirksey, Marta E. Knight, Aimee Lakey, Phillip Lakey, Robert Lambert, Elena Mares-Coyote, Sharon Neukam, Connie Nicholson, Cynthia C Pasadeos, Robin Perry, Scott Perry, Janet Pierce, Blythe Powell, Roxanne Rios, Kathy Sellstrom, Nathan Sewell, Sara Shannon, Natalie Gilmer, Martha Terrel, Sandra Tidwell, and James Van Eyk.

Each of these requestors individually submitted a timely request which contained their name, address, and phone number pursuant to 30 TAC § 55.251(c)(1). According to the addresses they provided, the properties identified in the requests are located in close proximity to the boundary of the proposed District. These individuals also requested contested case hearings on the MUD creation pursuant to 30 TAC § 55.251(c)(3), and they also provided the internal control number as required in the notice and pursuant to 30 TAC § 55.251(c)(4).

However, each of these requestors failed to comply with 30 TAC § 55.251 because they did not identify a justiciable interest or explain how the requestor will be uniquely affected by the district in a manner not common to members of the general public. The requests express generalized concerns about the proposed district's practicability rather than identifying something specific regarding the creation that affects them and that is within the Commission's jurisdiction to consider.

While the requests did identify issues, the requestors failed to specifically articulate how they would uniquely be affected. Impacts to groundwater and traffic were the dominant issues in the requests, but these specific hearing requests expressed general concerns about the practicability of the district without tying those concerns to a unique justiciable interest. Many claimed that their source of water is the Edwards Aquifer and were concerned about the impact to the aquifer, but such an interest is too attenuated to be considered unique, especially when such water is sourced through a communal well or city utility. The requestors also expressed concerns with the district's logistical impact as they believe the existing road infrastructure is inadequate to accommodate future residents.

While the issue of groundwater impact is material and relevant to the creation review process, the requestors did not tie the MUD's activities or impacts to an interest that was unique to them, such as private well. Regarding road impacts, it is not within the statutory framework for the Commission to consider as part of the creation process.

Therefore, having failed to identify a personal justiciable interest that would be affected in a manner not common to members of the general public and that is within the Commission's jurisdiction, the ED recommends that the Commission deny these hearing requests.

- Rep. Erin Zwiener.

Representative Zwiener filed a timely hearing request which contained her name, address, and phone number pursuant to 30 TAC § 55.251(c)(1). She further requested a hearing on behalf of her constituents pursuant to 30 TAC § 55.251(c)(3), and she provided the internal control number as required in the notice and pursuant to 30 TAC § 55.251(c)(4). Representative Zwiener articulated several issues and concerns she and her constituents have regarding the proposed district's impacts on the local community. These issues included impacts to groundwater, water quality, traffic, and property values. According to the address of the proposed district, many of Rep. Zwiener's constituents are located in close proximity to the boundaries of the proposed district.

However, Rep. Zwiener did not identify any personal justiciable interests of her own that she believes could be uniquely affected by the proposed district.

Because Rep. Zwiener's hearing request did not identify any personal justiciable interest unique to her, the ED recommends that the Commission deny her hearing request.

VI. RECOMMENDATION

The ED recommends that the Commission grant the hearing requests of the City of Buda, Shawna-Lee Huskey, Brett Koger, Jesus Mares, Kody Schouten, and Kerri Webb. The ED recommends the Commission deny all other 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

A handwritten signature in black ink, appearing to read "Harrison Cole Malley", written in a cursive style.

Harrison Cole Malley, Staff Attorney
Environmental Law Division

State Bar No. 24116710

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Austin, Texas 78711-3087

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CERTIFICATE OF SERVICE

I certify that on April 15, 2023, the “Executive Director’s Response to Hearing Requests” for the was filed with the TCEQ’s Office of the Chief Clerk, and a copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, inter-agency mail, electronic submittal, or by deposit in the U.S. Mail.



Harrison Cole Malley Staff Attorney
Environmental Law Division

MAILING LIST
Persimmon Municipal Utility District
TCEQ Docket No. 2023-1665-DIS; Internal Control No. D-06162023-032

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FOR PUBLIC INTEREST COUNSEL

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

REQUESTER(S)/INTERESTED PERSON(S):

See attached list.

REQUESTER(S)

Arizpe, Art
129 Clover Leaf Cv
Buda Tx 78610-2878

Baran, Michael
103 Nopal Ln
Buda Tx 78610-3260

Bien, Darren
1002 Magnolia Cv
Buda Tx 78610-2876

Bojorquez, Alan
Bojorquez Law Firm Pc
Ste 300
11675 Jollyville Rd
Austin Tx 78759-3939

Dulski, Debra
261 Kates Cv
Buda Tx 78610-3238

Faber, Connie
212 Longspur Dr
Buda Tx 78610-2652

Fletcher, David
PO Box 332
Manchaca Tx 78652-0332

Flores, James
121 Pilot Grove Ct
Buda Tx 78610-2773

Gee, Carol
123 Nopal Ln
Buda Tx 78610-3260

Hall, Gail
300 Treetop Way
Buda Tx 78610-2851

Hall, Thomas L
300 Treetop Way
Buda Tx 78610-2851

Haschke, Gerald
308 Fox Holw
Buda Tx 78610-2827

Hernandez, Susan
165 Amandas Way
Buda Tx 78610-2925

Huddleston, Bryan
12703 Sagebrush Cir
Buda Tx 78610-2806

Huskey, Shawna-Lee
210 Treetop Way
Buda Tx 78610-2840

Jurika, Virginia
161 Serene Hollow Ln
Buda Tx 78610-2791

Kaufmann, Jeffrey C
407 Leisurewoods Dr
Buda Tx 78610-2613

Kinslow, Stephen Kent
12610 Shady Acres Dr
Buda Tx 78610-2522

Kirksey, J P
12503 Scissortail Dr
Manchaca Tx 78652-3723

Knight, Marta E
305 Ranger Dr
Buda Tx 78610-2539

Koger, Brett
12507 Shady Acres Dr
Buda Tx 78610-2517

Lakey, Aimee & Phillip
1165 Clark Brothers Dr
Buda Tx 78610-5127

Lambert, Robert
298 Kates Cv
Buda Tx 78610-3235

Mares, Jesus
907 Magnolia Cv
Buda Tx 78610-2889

Mares-Coyote, Elena
907 Magnolia Cv
Buda Tx 78610-2889

Neukam, Sharon
1001 Laurel Cv
Buda Tx 78610-2872

Nicholson, Connie
119 Saguaro Dr
Buda Tx 78610-3262

Pasadeos, Cynthia C
2592 Garlic Creek Dr
Buda Tx 78610-5187

Perry, Robin & Scott
307 Lakewood Dr
Buda Tx 78610-2507

Pierce, Janet
13100 Onion Creek Dr
Manchaca Tx 78652-5620

Powell, Blythe
230 Treetop Way
Buda Tx 78610-2840

Rios, Roxanne
1129 Haleys Way Dr
Buda Tx 78610-3206

Schouten, Kody
804 Laurel Cv
Buda Tx 78610-2874

Sellstrom, Kathy
301 Buttercup Trl
Buda Tx 78610-2832

Sewell, Nathan
12701 Pheasant Run
Buda Tx 78610-2531

Shannon, Sara
307 Raccoon Run
Buda Tx 78610-2834

Shebel, Natalie Gilmer
12615 Eagle Nest Dr
Buda Tx 78610-2447

Terrel, Martha
905 Magnolia Cv
Buda Tx 78610-2889

Twidwell, Sandra
100 Devons Cv
Buda Tx 78610-2893

Van Eyk, James
301 Treetop Way
Buda Tx 78610-2853

Walker, Doug
1366 Heep Run
Buda Tx 78610-5093

Webb, Kerri
213 Amandas Way
Buda Tx 78610-2926

Zwiener, Erin
The Honorable State Representative
Texas House Of Representatives
District 45
PO Box 2910
Austin Tx 78768-2910

INTERESTED PERSON(S)

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401 Treetop Way
Buda Tx 78610-2856

Chida, Judy
305 Prickley Pear Pass
Buda Tx 78610-3290

Meyer, Joyce
114 Clover Leaf Cv
Buda Tx 78610-2878

Meyer, Michael
114 Clover Leaf Cv
Buda Tx 78610-2878

Moreland, Cheryl Ann
1011 Magnolia Cv
Buda Tx 78610-2875

Patterson, David
16220 Remuda Trl
Buda Tx 78610-9349

Richardson, Diana
411 Treetop Way
Buda Tx 78610-2856

Roberts, Travis
168 Calline Mayes Run
Buda Tx 78610-5132

Schobey, Deanna
2096 Cornelia Trimble
Buda Tx 78610-5154

Sullivan, Mary Ann
159 Madisons Cv
Buda Tx 78610-3218

Attachment A

Petition for Creation of Persimmon 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: 12/12/2023
CRF 0096167
Cartographer: AlOrtiz



- Approximate Center of District
- Water CCN Facility Lines
- 0.5-Mile Radius of MUD Boundary
- 1.0-Mile Radius of MUD Boundary
- 1.5-Mile Radius of MUD Boundary
- Persimmon Municipal Utility District Boundary
- City of Buda Water CCN Service Area
- City of Buda Boundary
- City of Buda ETJ
- County Boundary

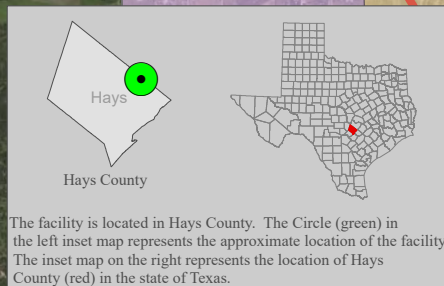
- | | |
|---------------------------------|-----------------------|
| 1) Arizpe, A. | 24) Lambert, R. |
| 2) Baran, M. | 25) Mares, J. |
| 3) Bien, D. | 26) Mares- Coyote, E. |
| 4) Bojorquez, A. (City of Buda) | 27) Neukam, S. |
| 5) Dulski, D. | 28) Nicholson, C. |
| 6) Faber, C. | 29) Pasadeos, C.C |
| 7) Fletcher, D. | 30) Perry, R. |
| 8) Flores, J. | 31) Perry, S. |
| 9) Gee, C. | 32) Pierce, J. |
| 10) Hall, G. | 33) Powell, B. |
| 11) Hall, T.L. | 34) Rios, R. |
| 12) Haschke, G. | 35) Schouten, K. |
| 13) Hernandez, S. | 36) Sellstrom, K. |
| 14) Huddleston, B. | 37) Sewell, N. |
| 15) Huskey, S.L. | 38) Shannon, S. |
| 16) Jurika, V. | 39) Shebel, N.G. |
| 17) Kaufmann, J.C. | 40) Terrel, M. |
| 18) Kinslow, S.K. | 41) Twidwell, S. |
| 19) Kirksey, J.P. | 42) Van Eyk, J. |
| 20) Knight, M.E. | 43) Walker, D. |
| 21) Koger, B. | 44) Webb, K. |
| 22) Lakey, A. | 45) Representative |
| 23) Lakey, P. | Zwiener, E. |

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.

0 0.45 0.9
Miles

Distances provided in Appendix A



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.

Appendix A Petition for Creation of Persimmon Municipal Utility District

Id	Name	Address	City	State	Zip	Latitude	Longitude	Distance From Requestor to Proposed MUD in Miles
1	Art Arizpe	129 Clover Leaf Cv	Buda	TX	78610	30.1064	-97.85699	0.30
2	Michael Baran	103 Nopal Ln	Buda	TX	78610	30.10337	-97.85668	0.28
3	Darren Bien	1002 Magnolia Cv	Buda	TX	78610	30.10376	-97.8542	0.13
4	Alan Bojorquez (City Of Buda)		Buda	TX		30.0817	-97.8429	1.29
5	Debra Dulski	261 Kates Cv	Buda	TX	78610	30.09703	-97.84323	0.30
6	Connie Faber	212 Longspur Dr	Buda	TX	78610	30.10569	-97.86688	0.89
7	David Fletcher	221 Ranger Dr	Buda	TX	78610	30.11448	-97.8568	0.16
8	James Flores	121 Pilot Grove Ct	Buda	TX	78610	30.09016	-97.86481	1.15
9	Carol Gee	123 Nopal Ln	Buda	TX	78610	30.10338	-97.85668	0.28
10	Gail Hall	300 Treetop Way	Buda	TX	78610	30.10978	-97.85589	0.23
11	Thomas L Hall	300 Treetop Way	Buda	TX	78610	30.10982	-97.85589	0.23
12	Gerald Haschke	308 Fox Holw	Buda	TX	78610	30.11041	-97.8574	0.32
13	Susan Hernandez	165 Amandas Way	Buda	TX	78610	30.09575	-97.844891	0.34
14	Bryan Huddleston	12703 Sagebrush Cir	Buda	TX	78610	30.11332	-97.85629	0.22
15	Shawna-Lee Huskey	210 Treetop Way	Buda	TX	78610	30.11349	-97.85505	0.18
16	Virginia Jurika	161 Serene Hollow Ln	Buda	TX	78610	30.08875	-97.85763	0.94
17	Jeffrey C Kaufmann	407 Leisure Woods Dr	Buda	TX	78610	30.11198	-97.86702	0.76
18	Stephen Kent Kinslow	12610 Shady Acres Dr	Buda	TX	78610	30.11713	-97.85658	0.06
19	JP Kirksey	12503 Scissortail Dr	Manchaca	TX	78652	30.1342	-97.82987	1.61

ID	Name	Address	City	State	Zip	Latitude	Longitude	Distance From Requestor to Proposed Mud in Miles
21	Brett Koger	12507 Shady Acres Dr	Buda	TX	78610	30.12076	-97.8563	0.05
22	Aimee Lakey	1165 Clark Brothers Dr	Buda	TX	78610	30.09831	-97.861183	0.62
23	Phillip Lakey	1165 Clark Brothers Dr	Buda	TX	78610	30.09831	-97.86183	0.66
24	Robert Lambert	298 Kates Cv	Buda	TX	78610	30.09655	-97.84379	0.32
25	Jesus Mares	907 Magnolia Cv	Buda	TX	78610	30.1045	-97.85367	0.10
26	Elena Mares- Coyote	907 Magnolia Cv	Buda	TX	78610	30.1045	-97.85367	0.10
27	Sharon Neukam	1001 Laurel Cv	Buda	TX	78610	30.10416	-97.85254	0.03
28	Connie Nicholson	119 Saguardo Dr	Buda	TX	78610	30.10249	-97.85628	0.26
29	Cynthia C Pasadeos	2592 Garlic Creek Dr	Buda	TX	78610	30.09554	-97.86382	0.86
30	Robin Perry	307 Lakewood Dr	Buda	TX	78610	30.12181	-97.85784	0.15
31	Scott Perry	307 Lakewood Dr	Buda	TX	78610	30.12181	-97.85784	0.15
32	Janet Pierce	13100 Onion Creek Dr	Manchaca	TX	78652	30.12076	-97.82353	1.15
33	Blythe Powell	230 Treetop Way	Buda	TX	78610	30.11025	-97.85579	0.22
34	Roxanne Rios	1129 Haleys Way Dr	Buda	TX	78610	30.0996	-97.8465	0.07
35	Kody Schouten	804 Laurel Cv	Buda	TX	78610	30.10583	-97.85316	0.07
36	Kathy Sellstrom	301 Buttercup Trl	Buda	TX	78610	30.10855	-97.85556	0.21
37	Nathan Sewell	12701 Pheasant Run	Buda	TX	78610	30.11677	-97.85704	0.09
38	Sara Shannon	307 Raccoon Run	Buda	TX	78610	30.10752	-97.85619	0.25
39	Natalie Gilmer Shebel	12615 Eagle Nest Dr	Buda	TX	78610	30.11912	-97.86269	0.43
40	Martha Terrel	905 Magnolia Cv	Buda	TX	78610	30.10463	-97.85372	0.10

Id	Name	Address	City	State	Zip	Latitude	Longitude	Distance From Requestor to Proposed Mud in Miles
41	Sandra Twidwell	100 Devons Cv	Buda	TX	78610	30.09623	-97.84737	0.25
42	James Van Eyk	301 Treetop Way	Buda	TX	78610	30.10965	-97.85517	0.19
43	Doug Walker	1366 Heep Run	Buda	TX	78610	30.09604	-97.86125	0.71
44	Kerri Webb	213 Amandas Way	Buda	TX	78610	30.09626	-97.8447	0.32
45	Representative Erin Zwiener		Buda	TX		30.0817	-97.8429	1.29