

**Executive Summary - Enforcement Matter - Case No. 66969**  
**River House Development, LLC**  
**RN111941308**  
**Docket No. 2024-1797-WQ-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

WQ

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

River House Development, 100 High Road, Hunt, Kerr County

**Type of Operation:**

Large construction site

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

**Texas Register Publication Date:** March 6, 2026

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$16,238

**Amount Deferred for Expedited Settlement:** \$3,247

**Total Paid to General Revenue:** \$12,991

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - Unclassified

Site/RN - Unclassified

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** January 2021

***Investigation Information***

**Complaint Date(s):** June 12, 2024

**Complaint Information:** Alleged that construction site not using appropriate best management practices causing discharge into the Guadalupe River.

**Date(s) of Investigation:** June 26, 2024 through October 23, 2024

**Date(s) of NOE(s):** November 4, 2024

**Executive Summary – Enforcement Matter – Case No. 66969**  
**River House Development, LLC**  
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**Docket No. 2024-1797-WQ-E**

***Violation Information***

1. Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state. Specifically, deposited caliche material was observed in the North Fork of the Guadalupe River adjacent to the Site [TEX. WATER CODE § 26.121(a)(2)].
2. Failed to conduct inspections of all controls. Specifically, inspections had not been conducted on a frequency required by Texas Pollutant Discharge Elimination System ("TPDES") Permit No. TXR1514QS, and inspection records did not indicate that all disturbed areas of the Site had been reviewed for each inspection that was conducted [30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section F.8(b) and (c)i].
3. Failed to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. Specifically, a stabilized construction entrance was not observed, silt fencing along Farm-to-Market Road 1340 was in need of maintenance and not anchored in places, and the rock berm in the drainage ditch near the river was partially covered with fine particle sediment [30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part IV Section A].
4. Failed to post a TCEQ site notice at the construction site at a place readily available for viewing. Specifically, a large construction site notice was not observed posted at the Site [30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section D.2].
5. Failed to maintain a complete Stormwater Pollution Prevention Plan ("SWP3") and update the SWP3 within seven days of changes. Specifically, the site map did not include locations of an observed rock berm and erosion blankets, the location of the site exit, and the approximate slopes anticipated after major grading activities for the road leading to the river. Additionally, straw wattles indicated on a site map were not observed at the Site, the receiving water listed for stormwater discharges was erroneously identified as 'not impaired', and the SWP3 did not include the chosen inspection frequency, changes or additions to sediment and erosion controls as a result of inspections, and the permit ID number [30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Sections E and F].
6. Failed to place velocity dissipation devices at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course. Specifically, erosion rills from channelized stormwater flow were observed on the slope from the road leading to the river [30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section F.4(d)].

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***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Respondent implemented the following corrective measures:

- a. By July 1, 2024, posted a TCEQ large construction site notice.
- b. By August 14, 2024, updated the SWP3 with required elements identified during the investigation.
- c. By November 8, 2024, ceased the discharge of sediment, removed and properly disposed of deposited caliche, and installed silt fencing along the North Fork of the Guadalupe River adjacent to the Site.
- d. By November 18, 2024, stabilized the construction exit off Farm-to-Market Road 1340, repaired, replaced, and/or properly anchored silt fencing along Farm-to-Market Road 1340, and removed accumulated sediment from the rock berm in the drainage ditch near the river.
- e. By November 21, 2024:
  - i. Conducted a complete Site inspection that satisfies the requirements of TPDES General Permit No. TXR150000; and
  - ii. Established vegetation and installed straw wattles on the slope to the river, installed hay bales on the road to divert water flow away from the slope to the river, and backfilled and established grass cover over the erosion rills on the slope to the river to avoid channelized stormwater flow.

**Technical Requirements:**

N/A

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Kadrienn Woodard, Enforcement Division, Enforcement Backlog Team, MC R-12, (713) 767-3602; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

**Respondent:** Matthew Powers, Manager, River House Development, LLC, 14 Hampton Place, Spring, Texas 77381-4215

**Respondent's Attorney:** N/A



# Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

<b>DATES</b>	<b>Assigned</b>	4-Nov-2024	<b>Screening</b>	5-Nov-2024	<b>EPA Due</b>	
	<b>PCW</b>	27-Nov-2024				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	River House Development, LLC
<b>Reg. Ent. Ref. No.</b>	RN111941308
<b>Facility/Site Region</b>	13-San Antonio
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>				
<b>Enf./Case ID No.</b>	66969	<b>No. of Violations</b>	6	
<b>Docket No.</b>	2024-1797-WQ-E	<b>Order Type</b>	1660	
<b>Media Program(s)</b>	Water Quality	<b>Government/Non-Profit</b>	No	
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Kadrienn Woodard	
		<b>EC's Team</b>	Enforcement Team BB	
<b>Admin. Penalty \$</b>	<b>Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$18,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	0.0% Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustments based on Compliance History.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	-\$2,262
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts: \$436  
 Estimated Cost of Compliance: \$23,255  
 \*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$16,238
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<b>Final Penalty Amount</b>	\$16,238
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$16,238
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<b>DEFERRAL</b>	20.0% Reduction Adjustment	-\$3,247
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$12,991
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Screening Date 5-Nov-2024

Docket No. 2024-1797-WQ-E

PCW

Respondent River House Development, LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 66969

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111941308

Media Water Quality

Enf. Coordinator Kadrienn Woodard

### Compliance History Worksheet

#### >> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

#### >> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

#### >> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

#### >> Compliance History Summary

Compliance History Notes

No adjustments based on Compliance History.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 0%

#### >> Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 0%

Screening Date 5-Nov-2024

Docket No. 2024-1797-WQ-E

PCW

Respondent River House Development, LLC

Policy Revision 5 (January 28, 2021)

Case ID No. 66969

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111941308

Media Water Quality

Enf. Coordinator Kadrienn Woodard

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(2)

Violation Description Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state. Specifically, deposited caliche material was observed in the North Fork of the Guadalupe River adjacent to the Site.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

Table with columns: Release (Actual, Potential), Harm (Major, Moderate, Minor), and Percent (25.0%). Includes 'OR' label.

>> Programmatic Matrix

Table with columns: Falsification, Major, Moderate, Minor, and Percent (0.0%).

Matrix Notes Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$18,750

\$6,250

Violation Events

Number of Violation Events 2 132 Number of violation days

Table with frequency categories: daily, weekly, monthly, quarterly, semiannual, annual, single event.

Violation Base Penalty \$12,500

Two quarterly events are recommended from the June 26, 2024 investigation start date to the November 5, 2024 screening date.

Good Faith Efforts to Comply

10.0%

Reduction \$1,250

Table with columns: Before NOE/NOV, NOE/NOV to EDPRP/Settlement Offer and rows: Extraordinary, Ordinary, N/A.

Notes The Respondent achieved compliance by November 8, 2024.

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$277

Violation Final Penalty Total \$11,250

This violation Final Assessed Penalty (adjusted for limits) \$11,250

# Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$5,000	26-Jun-2024	8-Nov-2024	0.37	\$92	n/a	\$92
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	26-Jun-2024	8-Nov-2024	0.37	\$185	n/a	\$185

**Notes for DELAYED costs**

Estimated Remediation/Disposal cost to remove and properly dispose of the deposited caliche material from the North Fork of the Guadalupe River adjacent to the Site. The Date Required is the investigation start date, and the Final Date is the date of compliance.

Estimate Other cost to design and install effective erosion and sediment controls adjacent to the North Fork of the Guadalupe River, to avoid additional unauthorized discharges from the Site. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$15,000

**TOTAL** \$277

**Screening Date** 5-Nov-2024 **Docket No.** 2024-1797-WQ-E **PCW**  
**Respondent** River House Development, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 66969 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Enf. Coordinator** Kadrienn Woodard

**Violation Number** 2  
**Rule Cite(s)** 30 Tex. Admin. Code 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1514QS Part III Section F.8(b) and (c)  
**Violation Description** Failed to conduct inspections of all controls. Specifically, inspections had not been conducted on a frequency required by TPDES Permit No. TXR1514QS, and inspection records did not indicate that all disturbed areas of the Site had been reviewed for each inspection that was conducted.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				5.0%
Potential		X		

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

**Matrix Notes** Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$23,750

\$1,250

**Violation Events**

Number of Violation Events 1 132 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	X
annual	
single event	

**Violation Base Penalty** \$1,250

One semiannual event is recommended from the June 26, 2024 investigation start date to the November 5, 2024 screening date.

**Good Faith Efforts to Comply** 10.0% Reduction \$125

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		

**Notes** The Respondent achieved compliance by November 21, 2024.

**Violation Subtotal** \$1,125

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$5 **Violation Final Penalty Total** \$1,125

**This violation Final Assessed Penalty (adjusted for limits)** \$1,125

# Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media Violation No.** Water Quality  
 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$250	26-Jun-2024	21-Nov-2024	0.41	\$5	n/a	\$5

**Notes for DELAYED costs** Estimated Other cost to conduct a complete site inspection that satisfies the requirements of Construction General Permit TXR150000. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$250

**TOTAL** \$5

**Screening Date** 5-Nov-2024 **Docket No.** 2024-1797-WQ-E **PCW**  
**Respondent** River House Development, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 66969 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Enf. Coordinator** Kadrienn Woodard

**Violation Number**

**Rule Cite(s)** 30 Tex. Admin. Code 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part IV Section A

**Violation Description**

Failed to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. Specifically, a stabilized construction entrance was not observed, silt fencing along Farm-to-Market Road 1340 was in need of maintenance and not anchored in places, and the rock berm in the drainage ditch near the river was partially covered with fine particle sediment.

**Base Penalty**

**>> Environmental, Property and Human Health Matrix**

**OR**

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>

**Percent**

**>> Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Percent**

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment**

**Violation Events**

Number of Violation Events   Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>

**Violation Base Penalty**

One single event is recommended.

**Good Faith Efforts to Comply**  Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input checked="" type="checkbox"/>
N/A	<input type="text"/>	<input type="text"/>

Notes: The Respondent achieved compliance by November 18, 2024.

**Violation Subtotal**

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount**

**Violation Final Penalty Total**

**This violation Final Assessed Penalty (adjusted for limits)**

# Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media Violation No.** Water Quality  
 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,500	26-Jun-2024	18-Nov-2024	0.40	\$50	n/a	\$50

**Notes for DELAYED costs**  
 Estimated Other cost to stabilize the construction entrance, repair/replace and properly anchor silt fencing along Farm-to-Market Road 1340, and remove the fine particle sediment from the rock berm in the drainage ditch near the river. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$2,500

**TOTAL** \$50

**Screening Date** 5-Nov-2024 **Docket No.** 2024-1797-WQ-E **PCW**  
**Respondent** River House Development, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 66969 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Enf. Coordinator** Kadrienn Woodard

**Violation Number** 4  
**Rule Cite(s)** 30 Tex. Admin. Code 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section D.2  
**Violation Description** Failed to post a TCEQ site notice at the construction site at a place readily available for viewing. Specifically, a large construction site notice was not observed posted at the Site.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
		X			10.0%
100% of the rule requirement was not met.					

**Adjustment** \$22,500

\$2,500

**Violation Events**

Number of Violation Events 1 5 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

**Violation Base Penalty** \$2,500

One single event is recommended, from the June 26, 2024 investigation start date to the July 1, 2024 date of compliance.

**Good Faith Efforts to Comply** 25.0% Reduction \$625

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		

**Notes** The Respondent achieved compliance by July 1, 2024.

**Violation Subtotal** \$1,875

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$0 **Violation Final Penalty Total** \$1,875

**This violation Final Assessed Penalty (adjusted for limits)** \$1,875

# Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media Violation No.** Water Quality  
 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
------------------	-----------	---------------	------------	-----	----------------	-------------	-----------

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5	26-Jun-2024	1-Jul-2024	0.01	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated Other cost to post a TCEQ large construction site notice. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

**Approx. Cost of Compliance**

\$5

**TOTAL**

\$0

**Screening Date** 5-Nov-2024 **Docket No.** 2024-1797-WQ-E **PCW**  
**Respondent** River House Development, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 66969 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Enf. Coordinator** Kadrienn Woodard

**Violation Number** 5  
**Rule Cite(s)** 30 Tex. Admin. Code 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Sections E and F  
**Violation Description**  
 Failed to maintain a complete Stormwater Pollution Prevention Plan ("SWP3") and update the SWP3 within seven days of changes. Specifically, the site map did not include locations of an observed rock berm and erosion blankets, the location of the site exit, and the approximate slopes anticipated after major grading activities for the road leading to the river. Additionally, straw wattles indicated on a site map were not observed at the Site, the receiving water listed for stormwater discharges was erroneously identified as 'not impaired', and the SWP3 did not include the chosen inspection frequency, changes or additions to sediment and erosion controls as a result of inspections, and the permit ID number.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					0.0%
Potential					

**>> Programmatic Matrix**

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
				X	1.0%

Less than 30% of the rule requirements were not met.

**Adjustment** \$24,750

\$250

**Violation Events**

Number of Violation Events 1 49 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

**Violation Base Penalty** \$250

One single event is recommended.

**Good Faith Efforts to Comply** 25.0% Reduction \$62

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		

Notes: The Respondent achieved compliance by August 14, 2024.

**Violation Subtotal** \$188

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$3 **Violation Final Penalty Total** \$188

**This violation Final Assessed Penalty (adjusted for limits)** \$188

## Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media Violation No.** Water Quality  
 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	26-Jun-2024	14-Aug-2024	0.13	\$3	n/a	\$3
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

**Notes for DELAYED costs**

Estimated Record Keeping cost to maintain a complete SWP3. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$500

**TOTAL** \$3

**Screening Date** 5-Nov-2024 **Docket No.** 2024-1797-WQ-E **PCW**  
**Respondent** River House Development, LLC *Policy Revision 5 (January 28, 2021)*  
**Case ID No.** 66969 *PCW Revision February 11, 2021*  
**Reg. Ent. Reference No.** RN111941308  
**Media** Water Quality  
**Enf. Coordinator** Kadrienn Woodard

**Violation Number** 6  
**Rule Cite(s)** 30 Tex. Admin. Code 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section F.4(d)  
**Violation Description** Failed to place velocity dissipation devices at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course. Specifically, erosion rills from channelized stormwater flow were observed on the slope from the road leading to the river.

**Base Penalty** \$25,000

**>> Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				5.0%
	Potential		X		

**>> Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes** Human health or the environment will or could be exposed to significant amounts of pollutants that would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$23,750

\$1,250

**Violation Events**

Number of Violation Events 1 132 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	X
annual	
single event	

**Violation Base Penalty** \$1,250

One semiannual event is recommended from the June 26, 2024 investigation start date to the November 5, 2024 screening date.

**Good Faith Efforts to Comply** 10.0% Reduction \$125

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		

**Notes** The Respondent achieved compliance by November 21, 2024.

**Violation Subtotal** \$1,125

**Economic Benefit (EB) for this violation** **Statutory Limit Test**

**Estimated EB Amount** \$101 **Violation Final Penalty Total** \$1,125

**This violation Final Assessed Penalty (adjusted for limits)** \$1,125

## Economic Benefit Worksheet

**Respondent** River House Development, LLC  
**Case ID No.** 66969  
**Reg. Ent. Reference No.** RN111941308  
**Media Violation No.** Water Quality  
 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	26-Jun-2024	21-Nov-2024	0.41	\$101	n/a	\$101

**Notes for DELAYED costs** Estimated Other cost to fill in the erosion rills, establish vegetation, and install velocity dissipation devices as needed on the slope of the road leading to the river to avoid channelized stormwater flow. The Date Required is the investigation start date, and the Final Date is the date of compliance.

### Avoided Costs

#### ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

Approx. Cost of Compliance \$5,000

**TOTAL** \$101



# Compliance History Report

Compliance History Report for CN606243467, RN111941308, Rating Year 2025 which includes Compliance History (CH) components from September 1, 2020, through August 31, 2025.

<b>Customer, Respondent, or Owner/Operator:</b>	CN606243467, River House Development, LLC	<b>Classification:</b> UNCLASSIFIED	<b>Rating:</b> 0.00
<b>Regulated Entity:</b>	RN111941308, RIVER HOUSE DEVELOPMENT	<b>Classification:</b> UNCLASSIFIED	<b>Rating:</b> 0.00
<b>Complexity Points:</b>	0	<b>Repeat Violator:</b>	NO
<b>CH Group:</b>	14 - Other		
<b>Location:</b>	100 HIGH RD HUNT, TX 78024, KERR COUNTY		
<b>TCEQ Region:</b>	REGION 13 - SAN ANTONIO		

**ID Number(s):**

**WATER QUALITY NON PERMITTED ID NUMBER**  
R13111941308

**Compliance History Period:** September 01, 2020 to August 31, 2025      **Rating Year:** 2025      **Rating Date:** 09/01/2025

**Date Compliance History Report Prepared:** December 29, 2025

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** December 29, 2020 to December 29, 2025

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** TCEQ Staff Member      **Phone:** (512) 239-1000

**Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

**Components (Multimedia) for the Site Are Listed in Sections A - J**

**A. Final Orders, court judgments, and consent decrees:**

N/A

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

N/A

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

**F. Environmental audits:**

N/A

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
RIVER HOUSE DEVELOPMENT, LLC  
RN111941308

§ BEFORE THE  
§ TEXAS COMMISSION ON  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2024-1797-WQ-E

### I. JURISDICTION AND STIPULATIONS

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding River House Development, LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a large construction site located at 100 High Road in Hunt, Kerr County, Texas (the "Site"). The Site is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$16,238 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$12,991 of the penalty and \$3,247 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Site:
  - a. By July 1, 2024, posted a TCEQ large construction site notice;
  - b. By August 14, 2024, updated the Stormwater Pollution Prevention Plan ("SWP3") with required elements identified during the investigation;
  - c. By November 8, 2024, ceased the discharge of sediment, removed and properly disposed of deposited caliche, and installed silt fencing along the North Fork of the Guadalupe River adjacent to the Site;
  - d. By November 18, 2024, stabilized the construction exit off Farm-to-Market Road 1340, repaired, replaced, and/or properly anchored silt fencing along Farm-to-Market Road 1340, and removed accumulated sediment from the rock berm in the drainage ditch near the river; and
  - e. By November 21, 2024,
    - i. conducted a complete Site inspection that satisfies the requirements of TPDES General Permit No. TXR150000; and
    - ii. established vegetation and installed straw wattles on the slope to the river, installed hay bales on the road to divert water flow away from the slope to the river, and backfilled and established grass cover over the erosion rills on the slope to the river to avoid channelized stormwater flow.

## II. ALLEGATIONS

During an investigation at the Site conducted from June 26 through October 23, 2024, an investigator documented that the Respondent:

1. Failed to prevent an unauthorized discharge of sediment into or adjacent to any water in the state, in violation of TEX. WATER CODE § 26.121(a)(2). Specifically, deposited caliche material was observed in the North Fork of the Guadalupe River adjacent to the Site.
2. Failed to conduct inspections of all controls, in violation of 30 TEX. ADMIN. CODE 281.25(a)(4) and Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR1514QS Part III Section F.8(b) and (c)i. Specifically, inspections had not been

conducted on a frequency required by TPDES Permit No. TXR1514QS, and inspection records did not indicate that all disturbed areas of the Site had been reviewed for each inspection that was conducted.

3. Failed to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants, in violation of 30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part IV Section A. Specifically, a stabilized construction entrance was not observed, silt fencing along Farm-to-Market Road 1340 was in need of maintenance and not anchored in places, and the rock berm in the drainage ditch near the river was partially covered with fine particle sediment.
4. Failed to post a TCEQ site notice at the construction site at a place readily available for viewing, in violation of 30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section D.2. Specifically, a large construction site notice was not observed posted at the Site.
5. Failed to maintain a complete SWP3 and update the SWP3 within seven days of changes, in violation of 30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Sections E and F. Specifically, the site map did not include locations of an observed rock berm and erosion blankets, the location of the site exit, and the approximate slopes anticipated after major grading activities for the road leading to the river. Additionally, straw wattles indicated on a site map were not observed at the Site, the receiving water listed for stormwater discharges was erroneously identified as 'not impaired', and the SWP3 did not include the chosen inspection frequency, changes or additions to sediment and erosion controls as a result of inspections, and the permit ID number.
6. Failed to place velocity dissipation devices at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course, in violation of 30 TEX. ADMIN. CODE 281.25(a)(4) and TPDES General Permit No. TXR1514QS Part III Section F.4(d). Specifically, erosion rills from channelized stormwater flow were observed on the slope from the road leading to the river.

### **III. DENIALS**

The Respondent generally denies each allegation in Section II ("Allegations").

### **IV. ORDERING PROVISIONS**

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: River House Development, LLC, Docket No. 2024-1797-WQ-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. All relief not expressly granted in this Order is denied.
3. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

-----  
For the Commission

*Krista Mello-Jurack*

-----  
For the Executive Director

-----  
Date

03/29/2026

-----  
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

*[Signature]*  
-----  
Signature

*1/28/26*  
-----  
Date

*Matthew S. Powers*  
-----  
Name (Printed or typed)  
Authorized Representative of  
River House Development, LLC

*Mgr.*  
-----  
Title

*If mailing address has changed, please check this box and provide the new address below:*

**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.