SOAH DOCKET NO. 582-25-15352

TCEQ DOCKET NO. 2025-0082-DIS

FOR THE CREATION OF NORTH FORK MUNICIPAL UTILITY DISTRICT OF WILLIAMSON COUNTY	**§ § § § §**	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

EXECUTIVE DIRECTOR'S EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S PROPOSAL FOR DECISION

INTRODUCTION

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) submits her Exceptions to the Administrative Law Judge's (ALJ) Proposal for Decision (PFD).[1] The Executive Director supports the findings and conclusions contained in the ALJ's PFD and respectfully recommends the Commissioners adopt the Executive Director's recommended changes described below.

EXECUTIVE DIRECTOR'S EXCEPTIONS

1. The Executive Director recommends Ordering Provision No. 7 be revised to read as follows to be consistent with prior MUD creation Orders:

   TCEQ's Chief Clerk shall forward a copy of this Order to all parties and affected persons.

2. The ED also recommends adding the following Ordering Provision to be consistent with prior MUD creation Orders:

   Ordering Provision:

   This Order shall in no event be construed as an approval of any proposed agreements or of any particular items in any documents provided in support of the petition for creation, nor as a commitment or requirement of the TCEQ in the future to approve or disapprove any particular items or agreements in future applications submitted by the District for TCEQ consideration.

3. The ED further recommends correcting the name of temporary director John Gilbert Horsley in Finding of Fact No. 52, Conclusion of Law No. 12, and Ordering Provision No. 4.

4. The ED recommends revising Finding of Fact No. 52 as follows to be consistent with prior MUD creation Orders:

   Applicant established that Joseph Thomas, Jared Jehl, Matthew C. Silker, Chelsea Brown, and John Gilbert Horsley requested to be temporary directors and (1) are each at least 18 years old; (2) are each a resident of the State of Texas; and (3) each either owns land subject to taxation within the proposed District or is a qualified voter within the proposed District. Additionally, the

[1] Proposal for Decision, SOAH Docket 582-25-15352, TCEQ Docket 2025-0082-DIS, Petition of Ava Rohde and Rummel & Rohde Farms, LTD for Creation of North Fork Municipal Utility District of Williamson County, January 14, 2026.

majority are residents of the county in which the proposed District is located, a county adjacent to the county in which the proposed District is located, or if the proposed District is located in a county that is in a metropolitan statistical area designated by the United States Office of Management and Budget or its successor agency, a county in the same metropolitan statistical area as the county in which the proposed District is located.

5. Lastly, the ED recommends revising Ordering Provision No. 2 to read as follows:

   North Fork MUD lies outside of any city limits and extra-territorial jurisdiction, and it is wholly located within Williamson County Unincorporated area. The District shall be composed of the area situated in Williamson County, Texas, described by metes and bounds in Exhibit A attached hereto and incorporated herein for all purposes.

CONCLUSION

The Executive Director supports the findings and conclusions contained in the ALJ's PFD and respectfully recommends the Commission revise the Findings of Fact, Conclusions of Law, and Proposed Order, as reflected in the above Exceptions.

Respectfully submitted,

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Kelly Keel, Executive Director

Amy Browning, Acting Deputy Director
Environmental Law Division

Kayla Murray, Staff Attorney
Environmental Law Division
State Bar No. 24049282
P.O. Box 13087, MC 173
Austin, Texas 78711 3087
Telephone No. 512-239-4761
Fax: (512) 239-0626

CERTIFICATE OF SERVICE

I certify that on February 3, 2026, a true and correct copy of the foregoing document 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.

Kayla Murray

Kayla Murray, *Staff Attorney*
Environmental Law Division
State Bar No. 24049282

SERVICE LIST

North Fork Municipal Utility District
SOAH DOCKET NOS. 582-25-15352
TCEQ DOCKET NO. 2025-0082-DIS

For the Applicant
James G. Ruiz
jruiz@winstead.com
Ross Martin
rmartin@winstead.com

For the Protestant
Eric Allmon
eallmon@txenvirolaw.com
Edward Griffith, Jr.
Eddie.griffith@cnbt.bank
Gwyneth Lonergan
gwyneth@txenvirolaw.com
Alyssa Turgeon
alyssa@txenvirolaw.com
Vic McWherter
vmcwherter@txenvirolaw.com

For OPIC
Sheldon Wayne
sheldon.wayne@tceq.texas.gov

A METES AND BOUNDS
DESCRIPTION OF
A 343.069 ACRE TRACT OF LAND

BEING a 343.069 acre (14,944,096 square feet) tract of land situated in the James C. Eaves Survey, Abstract 213, Williamson County, Texas; and being all of that certain 344.99 acre tract described in Correction Special Warranty Deed to Rummel and Rohde Farms LTD. in Document No. 2011077685 of the Official Public Records of Williamson County, inclusive of that certain 1.700 acre tract described in Special Warranty Deed to Carlton and Ava Rohde in Document No. 2011056564 of the Official Public Records of Williamson County; said 344.99 acres being all of that certain 347.38 acres in Volume 17, Page 368 of the Deed Records of Williamson County, save and except the following tracts:

- that certain 10-foot wide 0.69 acre strip of land in Volume 361, Page 508 of the Deed Records Williamson County;
- that certain 0.452 acre tract described in instrument to Williamson County, Texas, in Document No. 2002062281 of the Official Public Records of Williamson County;
- and a portion of the original 347.38 acre tract along it's east boundary for which no conveyance was located that appears to reside with the current area of County Road 368 (width varies by occupation);

BEGINNING at a 5/8-inch iron pipe found on the apparent northwesterly right-of-way line of County Road 369 (variable width public right-of-way, no dedication found) marking the southwest corner of said 344.99 acre tract and the southeast corner of that certain Tract 8 described as 338.192 acres in instrument to Terrel Timmermann Farms LP., recorded in Document No. 2017102681 of the Official Public Records of Williamson County;

THENCE, along the common line of said 344.99 acre and 338.192 acre tracts the following two (2) courses and distances:

1. North 21°36'38" West, 4149.44 feet to a 3/4-inch iron pipe found marking the northwest corner of said 344.99 acre tract, and an interior corner of the said 388.192 acre tract;
2. North 68°12'34" East, 3609.61 feet to a point on the apparent southwesterly right-of-way line of said County Road 368, marking the southeast corner of that certain 126.10 acre tract described in instrument to Ruby L. Cottle, et al, in Document No. 2003078952 of the Official Public Records of Williamson County, and the northeast corner of the herein described tract; said point for corner bears North 5°43'43" West, 10.83 feet to a found 1/2-inch iron rod with orange cap stamped "BTS";

THENCE, South 21°23'01" East, 3880.09 feet along the apparent southwesterly right-of-way line of said County Road 368 to a 1/2-inch iron rod with orange cap stamped "BTS" found marking the north corner of said save and except 0.452 acre tract;

THENCE, along the northwesterly and southwesterly lines of said save and except 0.452 acre tract, same being the right-of-way line of said County Road 369, the following three (3) courses and distances:

1. South 68°42'07" West, 1.72 feet to a 1/2-inch iron rod with orange cap stamped "BTS" found at the beginning of a curve;
2. in a southwesterly direction along a non-tangent curve to the right, having a central angle of 90°27'38", a radius of 260.00 feet, a chord bearing and distance of South 23°14'09" West, 369.17 feet, and a total arc length of 410.50 feet to a 1/2-inch iron rod with orange cap stamped "BTS" found for corner;
3. South 21°39'13" East, 18.93 feet to a 1/2-inch iron rod with orange cap stamped "BTS" found on the apparent northwesterly right-of-way line of said County Road 369, marking the southwest corner of said save and except 0.452 acre tract;

THENCE, South 68°23'18" West, 3332.18 feet along the apparent northwesterly right-of-way line of said County Road 369 to the **POINT OF BEGINNING**, and containing 343.069 acres of land in Williamson County, Texas. The basis of this description is the Texas State Plane Coordinate System, Central Zone (FIPS 4203) (NAD'83). All distances are on the Surface and shown in U.S. Survey Feet. The Combined Surface to Grid Scale Factor Is 0.9998800143. This description was generated on 4/11/2024 at 9:00 AM, based on geometry in the drawing file K:\SNA_Survey\064537560-GREEN BRICK - Taylor\Dwg\Exhibits\343.069 ACRES-MUNICIPAL UTILITY DISTRICT.dwg, in the office of Kimley-Horn and Associates in San Antonio, Texa

LINE TABLE		
NO.	BEARING	LENGTH
L1	S68°42'07"W	1.72'
L2	S21°39'13"E	18.93'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	90°27'38"	260.00'	410.50'	S23°14'09"W	369.17'

STATE OF TEXAS
REGISTERED
JOHN G. MOSIER
6330
PROFESSIONAL
LAND SURVEYOR

John G. Mosier
4-11-2024

JOHN G. MOSIER
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6330
10101 REUNION PLACE, SUITE 400
SAN ANTONIO, TEXAS 78216
PH. 210-541-9166
greg.mosier@kimley-horn.com

EXHIBIT OF
343.069 ACRE TRACT
MUNICIPAL UTILITY DISTRICT
J.C. EAVES SURVEY,
ABSTRACT NO. 213
WILLIAMSON COUNTY, TEXAS

Kimley»Horn
10101 Reunion Place, Suite 400
San Antonio, Texas 78216 FIRM # 10193973
Tel. No. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MAV	JGM	4/11/2024	064537560	1 OF 2