

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

July 3, 2024

Mr. David Oliver
Allen Boone Humphries Robinson, LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

Re: Publication of Notice of Petition for Creation of Harris-Waller Counties Municipal
Utility District No. 10
TCEQ Internal Control No. D-03072024-013

Dear Mr. Oliver:

Enclosed is a copy of the revised notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Kisha Jerrells in the District Administration Office at 512/239-4605 if the notice is found to be in error.

This full notice, including Exhibit A, must be published in accordance with 30 Texas Administrative Code Section 293.12, at your client's expense, in a newspaper (or newspapers) regularly published or circulated in the county or counties in which the proposed district is to be located. Publication shall be once a week for two consecutive weeks. The 30-day comment period will begin on the day after the date of the **second** publication.

In addition, pursuant to 30 Texas Administrative Code 293.12, you are required to post the enclosed notice, including Exhibit A, on the bulletin board used for posting legal notices in each county in which all or part of the proposed district is to be located. This notice should be posted so that it is available to the public no later than the date of your second newspaper publication.

After notice has been published and posted in accordance with 293.12, please provide proof of these actions to the Chief Clerks Office (Mail Code 105). The proof for newspaper publication shall be the original TCEQ affidavit of publication completed and notarized by the newspaper and an original tear sheet from the newspaper. The proof of posting can be in the form of an affidavit signed by a representative for the proposed

district, stating all facts of the posting action.

The Chief Clerk's Office should receive all affidavits no later than 14 days after the second publication of the notice in the newspaper.

If you have any questions regarding these publication requirements, please contact Georgia Carroll-Warren in this office at 512/239-3314.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Gharis".

Laurie Gharis
Chief Clerk

LG/ ka
Enclosures

cc: To all on attached mailing list.

MAILING LIST

Harris-Waller Counties Municipal Utility District No. 10
TCEQ Internal Control No. D-03072024-013

Mr. David Oliver
Allen Boone Humphries Robinson, LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

Mr. Seth Harvey, P.E.
LJA Engineering, Inc.
3600 West Sam Houston Parkway South, Suite 600
Houston, Texas 77042

Ms. Alyssa Taylor
TCEQ Region 4
2309 Gravel Drive
Fort Worth, Texas 76118

The Honorable Lois Kolkhorst
Texas Senate District 18
P.O. Box 12068
Capital Station
Austin, Texas 78711

The Honorable Stan Kitzman
Texas House District 85
P.O. Box 2910
Austin, Texas 78768

The Honorable Tom Oliverson
Texas House District 130
P.O. Box 2910
Austin, Texas 78768

Harris County Clerk
Attn: Ms. Teneshia Hudspeth, Secretary
201 Caroline Street, 4th floor, Suite 460
Houston, Texas 77002

Waller County Clerk
Attn: Debbie Hollan, Secretary
425 FM 1488, Suite 112
Hempstead, Texas 77445

Harris County Commissioner
Attn: The Honorable Lina Hidalgo
1001 Preston, Suite 911
Houston, Texas 77002

Waller County Commissioner
Attn: The Honorable Carbett "Trey" J. Duhon III
425 FM 1488, Suite 106
Hempstead, Texas 77445

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711

Todd Galiga, Senior Attorney, Environmental Law Division, MC-173
Kayla Murray, Attorney, Environmental Law Division, MC-173
Kisha Jerrells, Districts Creation Review Team, MC-152
Micheal Briscoe, Team Lead, Districts Creation Review Team, MC-152
Michelle Voytko, Drinking Water Special Functions Section, MC-153
Garrett Arthur, Office of the Public Interest Counsel, MC-103

TCEQ - Office of the Chief Clerk
MC-105 Attention: Notice Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: Harris-Waller Counties MUD No. 10
TCEQ Tracking No. D-03072024-013 CID Item No. 138156
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____ ; that said newspaper is
(name of newspaper)

regularly published or circulated in _____ County/Countries,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

(date or dates of publication)

Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,
20 _____, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas

(Seal)

Print or type Name of Notary Public

My Commission Expires _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION TCEQ INTERNAL CONTROL NO. D-03072024-013

PETITION. HOUSTON TRUST COMPANY, AS TRUSTEE OF THE HOWARD F. SMITH, JR. TRUST F/B/O LOUISE SMITH NEUHAUS, LAURENCE B. NEUHAUS, EDWARD K. NEUHAUS, and BINFORD @ CASTLE LLC, a New Mexico limited liability company, and JAMP STOKESBURY LP, a Texas limited partnership (collectively, the Petitioners), and PULTE HOMES OF TEXAS, L.P., a Texas limited partnership (as Earnest Money Contract Holder), filed a petition for the creation of Harris-Waller Counties Municipal Utility District No. 10 (District) with the Texas Commission on Environmental Quality (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 the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority of land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 256.09 acres located within Harris-Waller counties, Texas; and (4) the land within the proposed District was (as of the date of the petition) located within the extraterritorial jurisdiction of the City of Houston (City), but due to the filing of a Petition for Release of an Area from a Municipality's Extraterritorial Jurisdiction pursuant to Subchapter D, Chapter 42, Texas Local Government Code, with the City, no consent from the City was required.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A," which is attached to this document.

The petition further states that the proposed District will: (1) purchase, design, construct, acquire, improve, extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises, and park and recreational facilities, as shall be consonant with the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$45,420,000 (\$23,620,000 for water, wastewater, and drainage, plus \$16,185,000 for roads, plus \$5,615,000 for park and recreational facilities).

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

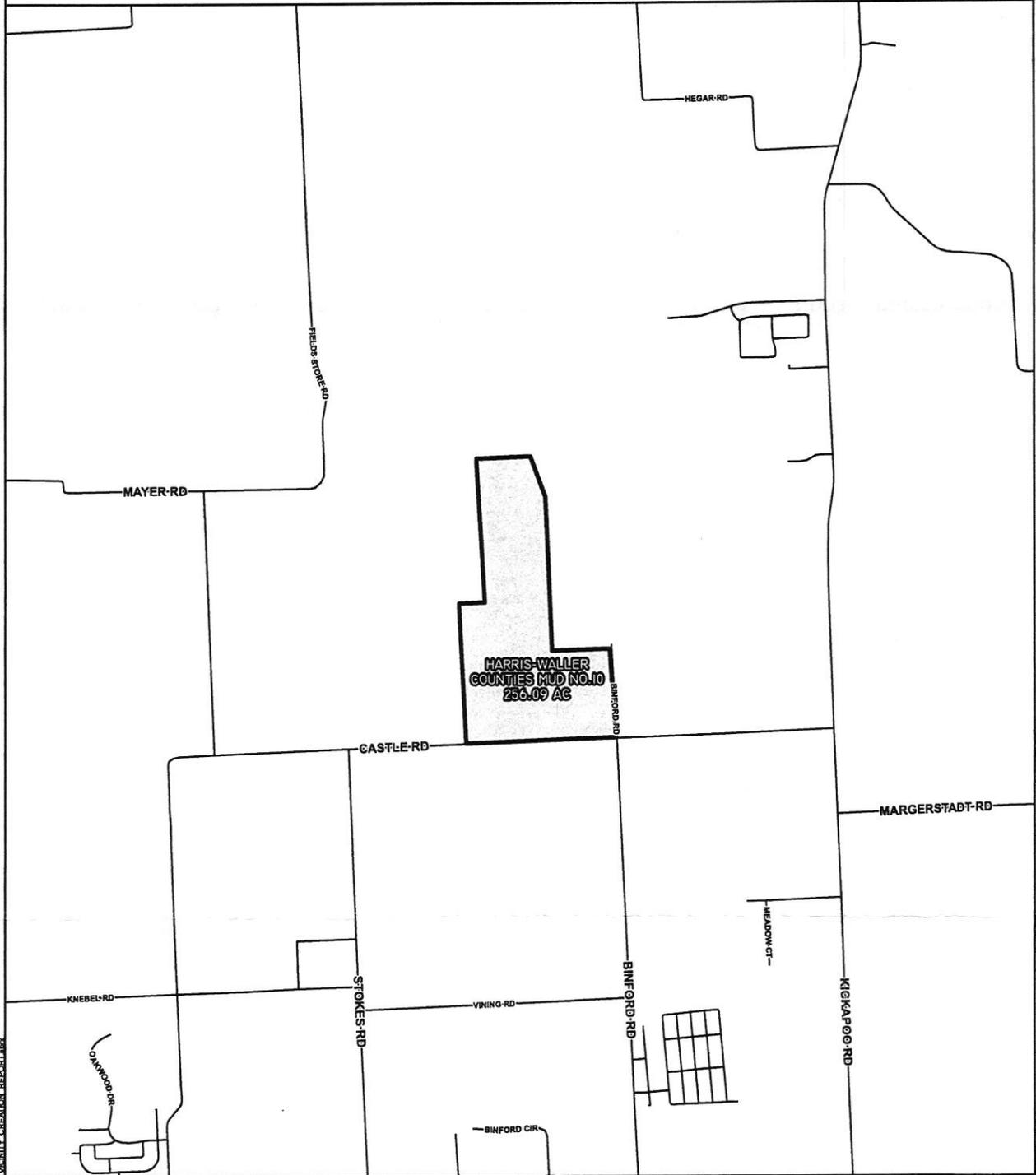
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: July 3, 2024

HARRIS-WALLER COUNTIES MUNICIPAL UTILITY DISTRICT NO. 10
256.09 ACRES
B.B.B.&C.R.R.CO., A-169, C.A.WILLIS, A-888, A-276
KEY MAP NO. 243 S, 243 W AND 283 A



Path: T:\1562020\Items\Water_MUD10_Creation_Zoned\HWS\MUD10_VICINITY_CREATION_SECRET.dwg

EXHIBIT A



VICINITY MAP
NTS