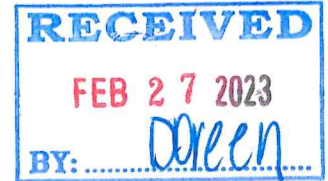


Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 22, 2023

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CERTIFIED MAIL

Commissioners Court of Guadalupe County
c/o The Honorable Judge Kyle Kutscher
County Judge
101 E. Court St.
Seguin, Texas 78155-5729

Re: Guadalupe County MUD No. 5
TCEQ Internal Control No. D-02152023-059
CN: 606109890 RN: 111677563

Honorable Judge Kutscher:

Information filed with the referenced petition (application) indicates the land (299.778 acres) within the proposed Guadalupe County Municipal Utility District No. 5 (District) is located entirely outside the corporate limits of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond as soon as possible if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable Judge Kyle Kutscher
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February 22, 2023

To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Mr. Joseph Yaklin, P.E.
BGE, Inc.
101 West Louis Henna Blvd. Suite 400
Austin, Texas 78728-1284

Mr. D Ryan Harper
Allen Boone Humphries Robinson, LLP
1108 Lavaca Street, Suite 510
Austin, Texas 78701-2125

If you have any additional questions, please contact James Walker of the Districts Creation Review Team at (512) 239-2532, or via email at James.Walker@tceq.texas.gov.

Sincerely,



Michael Briscoe, Team Lead
Districts Creation Review Team
Water Supply Division
Texas Commission on Environmental Quality

MB/jkw