

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, June 5, 2023 8:55 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: kslokanderson@gmail.com <kslokanderson@gmail.com>
Sent: Friday, June 2, 2023 4:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Karen Anderson

EMAIL: kslokanderson@gmail.com

COMPANY:

ADDRESS: 466 BEE CREEK SCHOOL HOUSE RD
GRANDVIEW TX 76050-5110

PHONE: 9725675817

FAX:

COMMENTS: Karen Anderson 466 Bee Creek School House Rd Grandview, TX 76050 May 30, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061 for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas Administration Code: My property is located at 466 Bee Creek School House Rd. The

creation of this Utility District uniquely and adversely affects me in the following ways: My health and safety will be affected by the increased flood waters from the proposed district , its sewer plants and the other 3 under petition by this developer. I am an 84 year old woman who relies heavily on local roads being passable. In the event of a life or death situation emergency services need passable roads to provide me these services. I rely on passable roads to attend local medical visits, grocery shop, banking, and access to the local Post Office. Currently the only road to reach Maypearl is FM 66. It has a low water crossing and a bridge (Just east of FM 916) which I must cross to obtain the above mentioned life sustaining activities. FM 66 is within the 100 yr flood plain in this area and any increase in floodwaters will restrict access from EMS in the Life or Death Situation. Please consider my Health and Safety concerns when reviewing this petition for approval Sincerely, Karen Anderson

Melanie Clifton
536 N Armstrong Rd
Venus, TX 76084

REVIEWED

MAY 11 2023
By GCW H

TCEQ OCC

18 MAY '23 9:45

May 6, 2023

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

Re: Petition D-02212023-061, Petitioner Miskimon Management III, LLC and Buffalo Hills Development, LLC

Attn: Chief Clerk

I request a contested case hearing for Petition D-02212023-061, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC, for the creation of Brahman Ranch Municipal Utility District of Ellis and Johnson County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located 536 N Armstrong Rd, Venus, TX 76084.

The creation of this Utility District uniquely and adversely affects me in the following way(s): it will place more pressure on existing government services such as perimeter road maintenance, school district/education, public safety services like sheriff/fire/EMS, and environmental concerns like drainage and discharge into the streams/creeks, which ultimately feed into the drinking water sources. Also, the entrance/exit for this location is very dangerous already. The addition of this community with it's poor visibility of the entrance is a recipe for disaster.

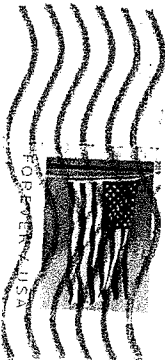
Respectively submitted,


Melanie Clifton
214-399-6061

Clifton Family
536 N Armstrong Rd
Venus, TX 76084

RECEIVED
MAY 10 2023
TCEQ MAIL CENTER
AJ

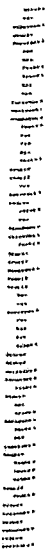
NORTH TEXAS TX P&DC
DALLAS TX 750
8 MAY 2023 PM 10 L



TCEQ 000
10 MAY '23 9:39
TCEQ 000 9:39

Office of the Chief Clerk
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

78711-308787



Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, June 2, 2023 8:29 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061
Attachments: 1308 Ozro Rd , Venus Tx.pdf

H

From: fats99@sbcglobal.net <fats99@sbcglobal.net>
Sent: Thursday, June 1, 2023 10:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Phillip Farrell, SR

EMAIL: fats99@sbcglobal.net

COMPANY:

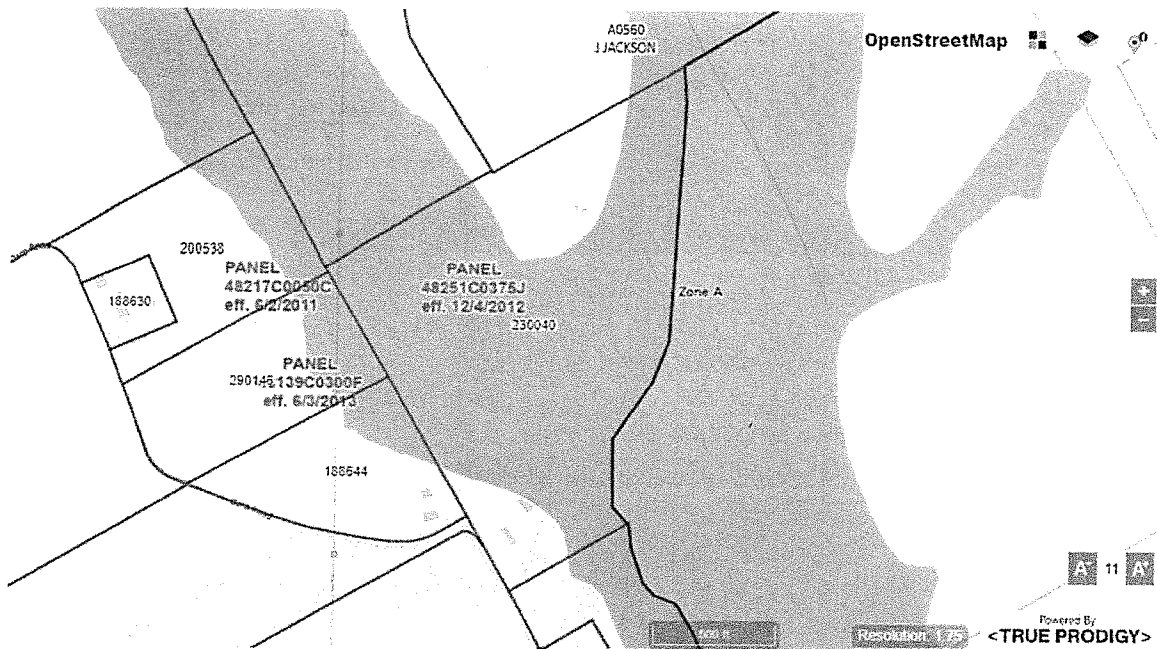
ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

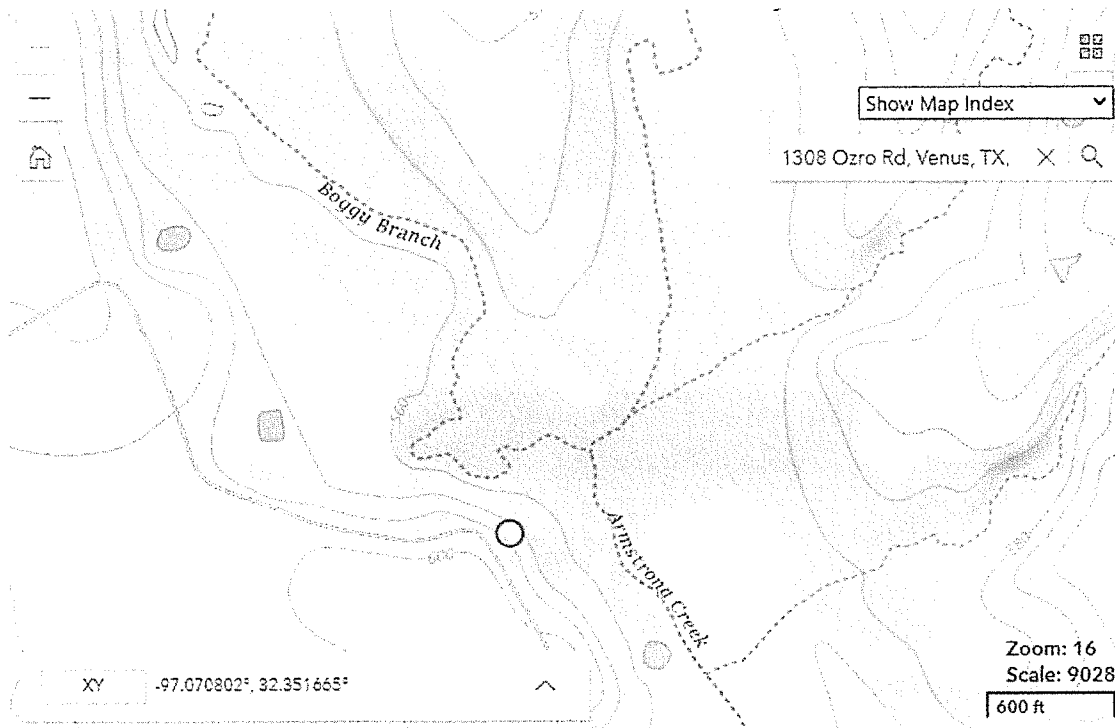
PHONE: 9727238726

FAX:

COMMENTS: Phillip Farrell Sr. 1308 Ozro Rd. Venus, TX 76084 May 20, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas

Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch and Armstrong Creek is on my property. Approximately 80% of my land currently lies within the FEMA Zone A floodplain (2013). The following Districts/Developments will increase flood waters containing toxins and contaminants into the creeks that flow through my property. This will cause contamination to my drinking water well (the only source of drinking water) and to my stock pond which we fish for food. These developments are contiguous and all have outfalls into the same creek system for effluent and storm water. They should be combined when reviewing the petition as they will have combined effects, and the potential to merge into 1 MUD. Brahman Ranch MUD permit application no. D-02212023-061 (437 ac) 1,091 homes Buffalo Hills MUD permit application no. D-02152023-058 (589 ac) 2,727 homes Circle S Midlothian MUD permit application no. TBD (2,000 ac) 4,500 + homes Hawk Ridge MUD permit no. TBD (88 ac) 330 homes Brahman Ranch I PID (662 acres) 1,736 Homes Bluestem Hills PID (50 homes) Some lots were refused permits by the City of Venus until flooding issues were addressed. WQ-0010883002- City of Venus in partner with petitioner (approved by TCEQ to discharge 180,000 gpd into Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek. (for only 3 phases of this development) WQ-0016216001 Buffalo Hills-Brahma Ranch 2 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 850,000 gpd into Boggy Branch, Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek WQ-0016243001 Circle S Midlothian (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 950,000 gpd into Spring Branch, Armstrong Creek, Cottonwood Creek and thence North Fork Chambers Creek. Respectively submitted, Phillip Farrell Sr.





Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, May 31, 2023 4:30 PM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: fats99@sbcglobal.net <fats99@sbcglobal.net>
Sent: Wednesday, May 31, 2023 3:52 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

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DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Phillip Farrell, SR

EMAIL: fats99@sbcglobal.net

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Phillip Farrell Sr. 1308 Ozro Rd. Venus, Tx 76084 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061 for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of Boggy Branch

and Armstrong Creek is on my property. Approximately 80% of my land currently lies within the FEMA Zone A floodplain (2013). The petition should be denied for the following procedural and technical deficiencies within the petition. 1. Engineering documents for utilities, sanitary sewer, and drainage lack the appropriate Engineers Seal. 2. There are no flood studies submitted as required by the Drainage plan. This is one of 4 developments seeking approval from the same petitioner, and when added to the 2 PIDs already under construction will create high volumes of water in to the same creek(s). A comprehensive flood study to include Boggy Branch, Armstrong Creek, Cottonwood Creek, and North Chambers Creek should be conducted downstream and to the City of Maypearl. 3. There are no LOMRs provided to build around the 100 year flood plain. 4. FIRM maps presented are not adequate to determine flooding (per Map) 5. FEMA has not determined the Base Flood Elevation in this area, and there are no flow meters that establishes current flow. 6. No environmental study provided per suggestion in documents. 7. There are 2 flood mitigation dams that will impact this development. The dams have not been inspected by the State Board of Soil and Water Conservation. The integrity of the 2 dams is unknown. 8. The petitioner has not demonstrated sufficient experience for developments of this magnitude. In fact one of the current developments Bluestem Hills, Venus, Texas, has substantial flooding issues. Residents of the development have tried for over 1 year to get relief, but are still waiting. 9. Across the street the petitioner has the Brahman Ranch I PID. This development has received complaints to the TCEQ, Incident Number: 1833581, Investigation Number: 382493 for several infractions and was substantiated by investigation. One of which was failure to control storm water. 10. The petitioner has several proposed developments all contiguous in land. 1 sewer plant and 2 proposed the service these developments. If this petition is approved the districts could be combined. With that possibility they should be reviewed as one district and their effects combined. Respectively, Phillip Farrell Sr.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, May 30, 2023 2:02 PM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: fats99@sbcglobal.net <fats99@sbcglobal.net>
Sent: Friday, May 26, 2023 4:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Phillip Farrell

EMAIL: fats99@sbcglobal.net

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Phillip Farrell Sr. 1308 Ozro Rd. Venus, TX 76084 May 20, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061 for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of

Boggy Branch and Armstrong Creek is on my property. Approximately 80% of my land currently lies within the FEMA Zone A floodplain (2013). I contest the following regarding the petition: The development is located within the water certificate of convenience and necessity ("CCN") held by Mountain Peak SUD. The development has the option to be serviced by Trinity River Authority, Mountain Creek Regional Wastewater System, which services the Cities of Venus and Midlothian. The Applicant already has partnered with the City of Venus and has constructed a municipal wastewater treatment plant (WQ0010883002) which could accept, (or expand as the city has stated) to receive the proposed waste. Water, Sewer and electric, are already available to this development without the necessity of creating a MUD. FEMA has not determined a Base Flood Elevation for Boggy Branch or Armstrong Creek in these Flood Plane Areas. There are no flow meters up stream or downstream from the proposed MUDs and their sewer plants. It would be impossible for any engineer to determine the increased flooding potential without a comprehensive flood study to include this MUD and the other 3 proposed MUDs with their sewer plants. The creation of this Utility District uniquely and adversely affects me in the following ways: 1. The increase in flood waters carrying contaminants from 3 sewer plants and storm water runoff from 10,000+ houses will contaminate my drinking water well. 2. My stock pond receives waters from Boggy Branch and Armstrong Creek, the contaminates from 3 sewer plants and storm water runoff from 10,000+ houses will adversely affect the fish leaving them hazardous for human consumption. 3. This proposed district's treated municipal wastewater plant (permit application WQ-0016216001) seeks to discharge an average of 850,000-gpd into Boggy Branch, thence Armstrong Creek, thence Cottonwood Creek. This stream will cause Boggy Branch and Armstrong Creek which are typically Intermittent with Perennial Pools to become perpetually flowing streams which, along with increased storm runoff due to high density housing, will cause creek bed erosion and increase the flooding potential to my property. Since already 80% of my property is already in the floodplain, the additional waters will increase flooding potential to my home and other structures. 4. The proposed district petition will impair the existing use of the receiving stream. The continuously flowing creek will divide my property so that approximately 30 acres of my property will be inaccessible from my homestead, as I will no longer be able to cross Boggy Branch and Armstrong Creek to access that acreage. 5. The proposed district's municipal wastewater treatment system effluent will have contaminants that are not removed from effluent from small packaged wastewater plants as proposed, including pharmaceuticals, hormones, antibiotic, steroids, viruses, health care products and many more. Knowing that the continuously flowing stream likely contains these contaminants will affect my family's enjoyment of the creek. In addition, TCEQ needs to determine if the Applicant is properly complying with the Texas Water Code and TCEQ regionalization requirements and antidegradation requirements. TCEQ should conduct a regionalization analysis of pending and approved permit applications, where wastewater treatment systems outfalls will be into this same creek system. This Applicant is seeking approval of multiple municipal utility district petitions for adjacent properties in Johnson and Ellis Counties, each seeking its own packaged wastewater treatment system. Other developers have also submitted district petitions to TCEQ for approval. Collectively, they will discharge over 2.2M-gpd into this normally dry creek system. Brahman Ranch MUD permit application no. D-02212023-061 (437 ac) 1,091 homes Buffalo Hills MUD permit application no. D-02152023-058 (589 ac) 2,727 homes Circle S Midlothian MUD permit application no. TBD (2,000 ac) 4,500 + homes Hawk Ridge MUD permit no. TBD (88 ac) 330 homes WQ-0016216001 Buffalo Hills-Brahma Ranch 2 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 850,000 gpd into Boggy Branch, thence Armstrong Creek, and thence Cottonwood Creek. WQ-0016243001 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 950,000 gpd into Spring Branch, thence Armstrong Creek, and thence Cottonwood Creek and North Fork Chambers Creek. The Applicant already has partnered with the City of Venus and has constructed a municipal wastewater treatment plant (WQ0010883002) for Brahman Ranch 1 PID. The City of Venus has stated this facility is expandable to cover increases for additional proposed developments. Alternatively, cost savings and regionalization can be realized by connecting to Trinity River Authority, Mountain Creek Regional Wastewater System, which services the Cities of Venus and Midlothian. Maintaining one municipal wastewater treatment plant instead of multiple small systems has other benefits. Multiple systems increase the chance of an improperly treated discharge, and when multiple systems discharge simultaneously, culpability of the guilty party may be impossible to determine. I am concerned that the Applicant has not demonstrated the need for this municipal utility district. Ellis County already has permitting regulations that allow building on larger lots that accommodate individual onsite septic systems and reduces stormwater runoff. Building lower density housing development would keep each property owner's effluent on their own property and reduce effect on downstream citizens. Respectively submitted, Phillip Farrell Sr.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, June 5, 2023 8:53 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

From: fats99@sbcglobal.net <fats99@sbcglobal.net>
Sent: Friday, June 2, 2023 5:01 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Phillip Farrell, SR

EMAIL: fats99@sbcglobal.net

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: The petition documents are insufficient and Petition should be denied

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, June 2, 2023 8:30 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: robynfarrell1979@gmail.com <robynfarrell1979@gmail.com>
Sent: Thursday, June 1, 2023 10:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Robyn Farrell

EMAIL: robynfarrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Robyn Farrell 1308 Ozro Rd. Venus, TX 76084 May 20, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061 for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 38 acres. The confluence of

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Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Friday, May 26, 2023 8:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: robynfarrrell1979@gmail.com <robynfarrrell1979@gmail.com>
Sent: Thursday, May 25, 2023 9:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

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NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

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Attachments: Farrell Well.pdf

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COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Robyn Farrell

EMAIL: robynfarrrell1979@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Supporting documents for comment dated 6/1/2023. Regarding Water Well Contamination



Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, June 5, 2023 8:54 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061
Attachments: Griffin Well.pdf

H

From: nickgriffin8484@gmail.com <nickgriffin8484@gmail.com>
Sent: Friday, June 2, 2023 4:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Nick Griffin

EMAIL: nickgriffin8484@gmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 8173139366

FAX:

COMMENTS: Nick Griffin 1308 Ozro Rd. Venus, TX 76084 May 22, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061 for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas

Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 3 acres. Boggy Branch is on my property. Approximately 50% of my land currently lies within the FEMA Zone A floodplain (2013). The following Districts/Developments will increase flood waters containing toxins and contaminants into the creek that flows through my property. This will cause contamination to my drinking water well. These developments are contiguous and all have outfalls into the same creek system for effluent and storm water. They should be combined when reviewing the petition as they will have combined effects, and the potential to merge into 1 MUD. Brahman Ranch MUD permit application no. D-02212023-061 (437 ac) 1,091 homes Buffalo Hills MUD permit application no. D-02152023-058 (589 ac) 2,727 homes Circle S Midlothian MUD permit application no. TBD (2,000 ac) 4,500 + homes Hawk Ridge MUD permit no. TBD (88 ac) 330 homes Brahman Ranch I PID (662 acres) 1,736 Homes Bluestem Hills PID (50 homes) Some lots were refused permits by the City of Venus until flooding issues were addressed. WQ-0010883002- City of Venus in partner with petitioner (approved by TCEQ to discharge 180,000 gpd into Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek. (for only 3 phases of this development) WQ-0016216001 Buffalo Hills-Brahma Ranch 2 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 850,000 gpd into Boggy Branch, Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek WQ-0016243001 Circle S Midlothian (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 950,000 gpd into Spring Branch, Armstrong Creek, Cottonwood Creek and thence North Fork Chambers Creek. Respectively submitted, Nick Griffin



Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, June 5, 2023 8:54 AM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061
Attachments: Griffin Well.pdf

H

From: rene.farrell@hotmail.com <rene.farrell@hotmail.com>
Sent: Friday, June 2, 2023 4:57 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Rene Griffin

EMAIL: rene.farrell@hotmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 8173139366

FAX:

COMMENTS: Rene Griffin, RN 1308 Ozro Rd. Venus, TX 76084 May 22, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas

Administration Code: My property is located at 1308 Ozro Road, consisting of approximately 3 acres. Boggy Branch is on my property. Approximately 50% of my land currently lies within the FEMA Zone A floodplain (2013). The following Districts/Developments will increase flood waters containing toxins and contaminants into the creek that flows through my property. This will cause contamination to my drinking water well. These developments are contiguous and all have outfalls into the same creek system for effluent and storm water. They should be combined when reviewing the petition as they will have combined effects, and the potential to merge into 1 MUD. Brahman Ranch MUD permit application no. D-02212023-061 (437 ac) 1,091 homes Buffalo Hills MUD permit application no. D-02152023-058 (589 ac) 2,727 homes Circle S Midlothian MUD permit application no. TBD (2,000 ac) 4,500 + homes Hawk Ridge MUD permit no. TBD (88 ac) 330 homes Brahman Ranch I PID (662 acres) 1,736 Homes Bluestem Hills PID (50 homes) Some lots were refused permits by the City of Venus until flooding issues were addressed. WQ-0010883002- City of Venus in partner with petitioner (approved by TCEQ to discharge 180,000 gpd into Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek. (for only 3 phases of this development) WQ-0016216001 Buffalo Hills-Brahma Ranch 2 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 850,000 gpd into Boggy Branch, Armstrong Creek, Cottonwood Creek, and thence North Fork Chambers Creek WQ-0016243001 Circle S Midlothian (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 950,000 gpd into Spring Branch, Armstrong Creek, Cottonwood Creek and thence North Fork Chambers Creek. Respectively submitted, Rene Griffin, RN



Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, May 30, 2023 2:01 PM
To: Pubcomment-Dis; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number D-02212023-061

H

From: rene.farrell@hotmail.com <rene.farrell@hotmail.com>
Sent: Friday, May 26, 2023 5:08 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Rene Griffin

EMAIL: rene.farrell@hotmail.com

COMPANY:

ADDRESS: 1308 OZRO RD
VENUS TX 76084-4870

PHONE: 9727238726

FAX:

COMMENTS: Rene Griffin 1308 Ozro Rd. Venus, TX 76084 May 21, 2023 Laurie Gharis, Chief Clerk Office of the Chief Clerk, MC 105 TCEQ P.O. Box 13087 Austin, TX 78711-3087 In Re: Petition D-02212023-061for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC-Rick Miskimon Attn: Chief Clerk Gharis I offer the below comments and formally request a contested case hearing for the above referenced application for the creation of Brahman Ranch Municipal Utility District of Johnson County and Ellis County. I am an affected person within the definition of that term by the Texas Administration Code: My property is located within a family farm, consisting of approximately 2.5 acres. Boggy Branch is

on my property. Approximately 50% of my land currently lies within the FEMA Zone A floodplain (2013). Address is 1308 Ozro Rd. The creation of this Utility District uniquely and adversely affects me in the following ways: 1. I am a Registered Nurse and greatly concerned for my two young sons. Boggy Branch which is typically Intermittent with Perennial Pools and its abundance of aquatic life, allows for wading, net fishing, catching frogs, turtles, and crawdads. We search for and remove beaver dams. My sons come out of the creeks soaking wet and covered in mud. There is a high probability that creek waters are ingested during these activities. The proposed district's municipal wastewater treatment system effluent will have contaminants that are not removed from effluent from small packaged wastewater plants as proposed, including pharmaceuticals, hormones, antibiotic, steroids, viruses, health care products and many more. Knowing that the continuously flowing stream likely contains these contaminants will affect my family's enjoyment of the creek. 2. The proposed district's storm water runoff will add many more pollutants oil, gasoline, antifreeze, and pesticides. All of these are toxic to my children and our natural resources that we enjoy. 3. My homestead and acreage are part of a larger family farm. Boggy Branch and Armstrong Creek run through the property and converge near my home. Increasing the contaminants within the waters.. 4. This proposed district's treated municipal wastewater plant (permit application WQ-0016216001) seeks to discharge an average of 850,000-gpd into Boggy Branch, thence Armstrong Creek, thence Cottonwood Creek. This stream will cause Boggy Branch and Armstrong Creek which are typically Intermittent with Perennial Pools to become perpetually flowing streams which, along with increased storm runoff due to high density housing, will cause creek bed erosion and increase the flooding potential to my property. Since 50% of my property is already in the floodplain, the additional waters will increase flooding potential and loss of property. 5. The proposed district petition will impair the existing use of the receiving stream. The continuously flowing creek will divide my property so that approximately half of my property will be inaccessible from my homestead, as I will no longer be able to cross Boggy Branch to access that acreage. In addition, TCEQ needs to determine if the Applicant is properly complying with the Texas Water Code and TCEQ regionalization requirements and antidegradation requirements. TCEQ should conduct a regionalization analysis of pending and approved permit applications, where wastewater treatment systems outfalls will be into this same creek system. This Applicant is seeking approval of multiple municipal utility district petitions for adjacent properties in Johnson and Ellis Counties, each seeking its own packaged wastewater treatment system. Other developers have also submitted district petitions to TCEQ for approval. Collectively, they will discharge over 2.2M-gpd into this normally dry creek system. Brahman Ranch MUD permit application no. D-02212023-061 (437 ac) 1,091 homes Buffalo Hills MUD permit application no. D-02152023-058 (589 ac) 2,727 homes Circle S Midlothian MUD permit application no. TBD (2,000 ac) 4,500 + homes Hawk Ridge MUD permit no. TBD (88 ac) 330 homes WQ-0016216001 Buffalo Hills-Brahma Ranch 2 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 850,000 gpd into Boggy Branch, thence Armstrong Creek, and thence Cottonwood Creek. WQ-0016243001 (submitted to TCEQ by same developer Rick Miskimon) Outfall to discharge average 950,000 gpd into Spring Branch, thence Armstrong Creek, and thence Cottonwood Creek and North Fork Chambers Creek. The Applicant already has partnered with the City of Venus and has constructed a municipal wastewater treatment plant (WQ0010883002) for Brahman Ranch 1 PID. The City of Venus has stated this facility is expandable to cover increases for additional proposed developments. Alternatively, cost savings and regionalization can be realized by connecting to Trinity River Authority, Mountain Creek Regional Wastewater System, which services the Cities of Venus and Midlothian. Maintaining one municipal wastewater treatment plant instead of multiple small systems has other benefits. Multiple systems increase the chance of an improperly treated discharge, and when multiple systems discharge simultaneously, culpability of the guilty party may be impossible to determine. I am concerned that the Applicant has not demonstrated the need for this municipal utility district. Ellis County already has permitting regulations that allow building on larger lots that accommodate individual onsite septic systems and reduces stormwater runoff. Building lower density housing development would keep each property owner's effluent on their own property and reduce effect on downstream citizens. Respectively submitted, Rene Griffin, RN

1017 Shady River Ct. N
Benbrook, TX 76126

REVIEWED

MAY 09 2023

By Gau H

TCEQ OCC

MAY '23 10:42

May 5, 2023

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

Re: Petition D-02212023-061, Petitioner Miskimon Management III, LLC and Buffalo Hills Development, LLC

Attn: Chief Clerk

I request a contested case hearing for Petition D-02212023-061, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC, for the creation of Brahman Ranch Municipal Utility District of Ellis and Johnson County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at **320 FM 66, Maypearl, TX. I have full ownership interest in 178 acres.**


The creation of this Utility District uniquely and adversely affects me in the following way(s):

My 178 acres are in agriculture but use is completely limited to hay production in recent years because of the extensive flooding that occurs during prolonged rains. Some years the land is deeply submerged from 3-6 times, and road closures of FM 66 at the bridge take place. No livestock can be grazed on the 178 acres due to the risk of being swept away. Full access is limited by the presence of Cottonwood (aka East Fork of Chambers) and North Fork of Chambers Creeks. If flooding is exacerbated by MUDs on Armstrong Creek, my ability to lease my land for hay production will be harmed. Riparian buffer contracts are in place on both creeks where hay production is not feasible. Flood studies have not been updated to reflect the impact of MUDs on my 2 creeks and acres. Sewer effluent safety and storm water volume should both be considered in the studies.

Respectively submitted,

Martha Johnson, DVM

817.247.6096


Martha Johnson
1017 Shady River Ct. N.
Benbrook, TX 76126-2900
50696

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2023 MAY -8 AM 10:01

CHIEF CLERKS OFFICE

NORTH TEXAS TX P&DC
DALLAS TX 750
6 MAY 2023 PM 8 L



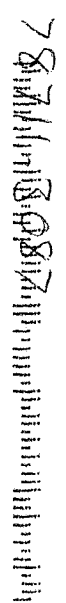
Office of the Chief Clerk, MC 105

TCEQ

P.O. Box 13087

Austin, TX

78711-3087



RECEIVED

MAY 08 2023

TCEQ MAIL CENTER
JR

[INSERT YOUR ADDRESS HERE]

May 2, 2023

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

REVIEWED

MAY 10 2023

GCW

H

TCEQ OCC

17 MAY '23 9:42

Re: Petition D-02212023-061, Petitioner Miskimon Management III, LLC and Buffalo Hills Development, LLC

Attn: Chief Clerk

I request a contested case hearing for Petition D-02212023-061, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC, for the creation of Brahman Ranch Municipal Utility District of Ellis and Johnson County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at [INSERT YOUR ADDRESS AND/OR DESCRIPTION].

The creation of this Utility District uniquely and adversely affects me in the following way(s):

[INSERT YOUR COMMENTS HERE, as many pages as you need]
[IF DESIRED, ADD REFERENCES TO EXHIBITS ON SEPARATE PAGES TO SUPPORT COMMENTS]

Respectively submitted,

[INSERT YOUR NAME]

[INSERT YOUR PHONE NUMBER]

817 999 2473

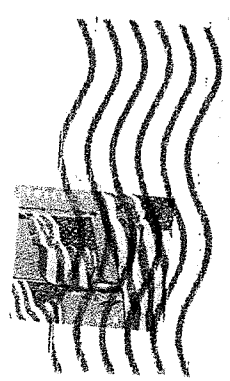
TIM W JUSTICE
5805 EARLE
ARLINGTON, TEXAS
76016

RECEIVED

MAY 17 2023

TCEQ MAIL CENTER
WT

NORTH TEXAS TX P&DC
DALLAS TX 750
15 MAY 2023 PM 6 L



TCEQ 000

17 MAY 23 9143

OFFICE OF THE CHIEF CLERK
MC105

TCEQ
PO BOX 13087

78711-308787

AUSTIN, TEXAS 78711-3087

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, May 24, 2023 4:00 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-02212023-061
Attachments: City of Midlothian's Request for CCH re Brahman Ranch MUD of Ellis County and Johnson County.pdf

H

From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Wednesday, May 24, 2023 2:46 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: 3711 S MOPAC EXPY STE 300
AUSTIN TX 78746-8013

PHONE: 5124728021

FAX:

COMMENTS: City of Midlothian's Request for CCH re Brahman Ranch MUD of Ellis County and Johnson County - please see attached letter



May 24, 2023

Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Application by Miskimon Management III, LLC and Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County; TCEQ Internal Control No. D-02212023-061

Dear Chief Clerk Gharis:

The City of Midlothian, Texas (the "City") formally requests a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to me, Emily Rogers, attorney for the City, at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, TX 78746. My daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Miskimon Management III, LLC and Buffalo Hills Development, LLC are applying to the Texas Commission on Environmental Quality (the "TCEQ") for creation of a new Brahman Ranch Municipal Utility District of Ellis County and Johnson County, located partially within the extraterritorial jurisdiction of the City of Midlothian. The City opposes the creation of the proposed district.

The City is an "affected person" entitled to a contested case hearing on issues raised in this hearing request because the City has interests related to legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public and is an affected person under 30 TEX. ADMIN. CODE § 55.256. The proposed municipal utility district will be located partially within the extraterritorial jurisdiction of the City. The City does not consent to its creation. Pursuant to Texas Water Code § 54.016(a), land within the City's extraterritorial jurisdiction cannot be included within the boundaries of a municipal utility district without the City's consent. For this and additional reasons, local governments, such as the City, with authority under state law over issues contemplated by an application, may be considered affected persons under 30 TEX. ADMIN. CODE § 55.256(b). The City has authority to protect the public health and safety within its extraterritorial jurisdiction and to regulate development within its extraterritorial jurisdiction. TEX. LOC. GOV'T CODE §§ 42.001, 212.044. Various city functions and services –

May 24, 2023

Page 2

including water and sewer services, emergency services, and health and safety concerns – may be affected by the creation of the district and are not taken into account by the application.

As a regional water and sewer service provider, the City has an interest to ensure that new development in its extraterritorial jurisdiction regionalizes with the existing system to the greatest extent possible in order to protect the public health, safety, and welfare of its citizens, customers, and future customers. *See* Texas Water Code § 26.081(a). The City therefore has an interest in ensuring the creation and operation of the proposed municipal utility district is protective of the public health and safety within its extraterritorial jurisdiction. Thus, the City has authority under state law over the issues contemplated by this application, has interests not common to the general public, and is therefore an affected person. 30 TEX. ADMIN. CODE § 55.256(b).

For these reasons, the City requests that the Commission find that the City is an affected person and grant its request for a contested case hearing.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Rogers".

Emily W. Rogers
Attorney for City of Midlothian

EWR/rfb

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, May 24, 2023 4:01 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; Pubcomment-Dis
Subject: FW: Public comment on Permit Number D-02212023-061
Attachments: Ellis County Request for CCH re Brahman Ranch MUD of Ellis County and Johnson County.pdf; Ellis County Request for CCH re Brahman Ranch MUD of Ellis County and Johnson County.pdf

H

From: rfburk@bickerstaff.com <rfburk@bickerstaff.com>
Sent: Wednesday, May 24, 2023 1:55 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number D-02212023-061

REGULATED ENTY NAME BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

RN NUMBER: RN111677001

PERMIT NUMBER: D-02212023-061

DOCKET NUMBER:

COUNTY: ELLIS, JOHNSON

PRINCIPAL NAME: BRAHMAN RANCH MUD OF ELLIS COUNTY AND JOHNSON COUNTY

CN NUMBER: CN606109627

NAME: Emily Rogers

EMAIL: rfburk@bickerstaff.com

COMPANY: Bickerstaff Heath Delgado Acosta LLP

ADDRESS: 3711 S MOPAC EXPY STE 300
AUSTIN TX 78746-8013

PHONE: 5124728021

FAX:

COMMENTS: Ellis County Request for CCH re Brahman Ranch MUD of Ellis County and Johnson County - please see attached letter



May 24, 2023

Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Application by Miskimon Management III, LLC and Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County; TCEQ Internal Control No. D-02212023-061

Dear Chief Clerk Gharis:

Ellis County (the "County") formally requests a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to the County's attorneys, Emily Rogers and Joshua Katz, at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, TX 78746. Our daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Miskimon Management III, LLC and Buffalo Hills Development, LLC are applying to the Texas Commission on Environmental Quality for creation of a new municipal utility district, Brahman Ranch Municipal Utility District of Ellis County and Johnson County, TCEQ Internal Control No. D-02212023-061. Ellis County opposes the creation of the District.

The County is an "affected person" entitled to a contested case hearing on issues raised in this hearing request because the County has interests related to legal rights, duties, privileges, powers, or economic interests affected by the application that are not common to the general public and is an affected person under 30 TEX. ADMIN. CODE § 55.256. Local governments, such as the County, with authority under state law over issues contemplated by an application, may be considered affected persons under 30 TEX. ADMIN. CODE § 55.256(b). The County has authority over various functions – including but not limited to transportation, emergency services, and health and safety – that may be affected by the creation of the district and that the application fails to take into account. Potential contamination or depletion of groundwater, if groundwater is to be the source of supply, within the region may impact the County's ability to effectively provide emergency services, may impact health and safety by lowering water quality, and may negatively impact the County's infrastructure through subsidence. Thus, the County has authority under state law over the issues contemplated by this application, and the creation of a MUD whose governmental powers overlap in many respects to those of the County affects the County in a way

May 24, 2023

Page 2

that is different from the general public. The County is therefore an affected person. 30 TEX. ADMIN. CODE § 55.256(b).

For these reasons, the County requests that the Commission find that the County is an affected person and grant its request for a contested case hearing.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Rogers".

Emily W. Rogers
Joshua D. Katz
Attorneys for Ellis County, Texas

EWR/rfb



May 24, 2023

Laurie Gharis, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
MC-105
P.O. Box 13087
Austin, TX 78711-3087

Re: Application by Miskimon Management III, LLC and Buffalo Hills Development, LLC to the Texas Commission on Environmental Quality for creation of Brahman Ranch Municipal Utility District of Ellis County and Johnson County; TCEQ Internal Control No. D-02212023-061

Dear Chief Clerk Gharis:

Ellis County (the "County") formally requests a contested case hearing on the above-referenced application. Please direct all future correspondence on this application to the County's attorneys, Emily Rogers and Joshua Katz, at 3711 S. MoPac Expressway, Building One, Suite 300, Austin, TX 78746. Our daytime phone number is (512) 472-8021 and fax number is (512) 320-5638.

Miskimon Management III, LLC and Buffalo Hills Development, LLC are applying to the Texas Commission on Environmental Quality for creation of a new municipal utility district, Brahman Ranch Municipal Utility District of Ellis County and Johnson County, TCEQ Internal Control No. D-02212023-061. Ellis County opposes the creation of the District.

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May 24, 2023
Page 2

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For these reasons, the County requests that the Commission find that the County is an affected person and grant its request for a contested case hearing.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Rogers".

Emily W. Rogers
Joshua D. Katz
Attorneys for Ellis County, Texas

EWR/rfb

REVIEWED

MAY 11 2023

H

By GCW

May 5, 2023

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

TCEQ OCC

10MAY '23 9:45

Re: Petition D-02212023-061, Petitioner Miskimon Management III, LLC and Buffalo Hills Development, LLC

Attn: Chief Clerk

I request a contested case hearing for Petition D-02212023-061, petitioned by Miskimon Management III, LLC and Buffalo Hills Development, LLC, for the creation of Brahman Ranch Municipal Utility District of Ellis and Johnson County.

I am an affected person entitled to a contested case hearing on the issues raised in this hearing request. My property is located at 15158 FM 916 Maypearl, TX 76064.

The creation of this Utility District uniquely and adversely affects me and the surrounding communities. The surrounding towns are not properly equipped to handle the excess utilization by this development. The schools are not of a size to handle the increased population and have no additional capacity. There are no consistent grocery or food stores beyond very small ones. The roads throughout the area are of two lanes and small farm roads. Additionally, there is not the capacity for water, sewage and waste treatment.

Respectively submitted,



Christopher Turner
469-964-5988

Turner
15158 FM 916
Maypearl, TX 76064

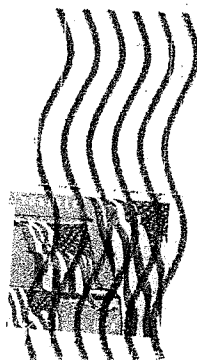
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