

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Circle S East Municipal Utility District of Ellis County , SOAH Docket No. 582-25-01781, TCEQ Docket No. 2024-0675-DIS, was mailed on October 25, 2024.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 25th day of October 2024.

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

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING **Circle S East Municipal Utility District of Ellis County** **SOAH Docket No. 582-25-01781** **TCEQ Docket No. 2024-0675-DIS** **TCEQ Internal Control No. D-08232023-044**

PETITION.

Circle S Midlothian, LLC, a Texas limited liability company and HAB 3336, LLC, a Texas limited liability company, ("Petitioners") filed a petition for creation of Circle S East Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, Section 52 and Article XVI, Section 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 own a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Ag Texas Farm Credit Services, on the property to be included in the proposed District, and the aforementioned entity has consented to the creation of the District and inclusion of all of the land in the District; (3) the proposed District will contain approximately 649.96 acres of land, located entirely within Ellis County, Texas; (4) none of the land to be included in the proposed District is within the corporate limits of any municipality, but a portion of the land is in the extraterritorial jurisdiction of the City of Midlothian, Texas (City); and (5) although the City has not consented to creation of the District, the Petitioner has satisfied the requirements of Texas Water Code Section 54.016(b) and (c) and Texas Local Government Code Section 42.042, so that the authorization for inclusion of the land in the proposed District may be assumed pursuant to the cited statutes.

The petition further states that the proposed District will: (1) construct, maintain and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes, (2) construct, maintain and operate a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes, (3) construct, install, maintain, purchase and operate drainage and roadway facilities and improvements, and (4) construct, install, maintain, purchase and operate such additional facilities, systems, plants and enterprises of such facilities as shall be consonant with the purposes for which the 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, from the information available at this time, that the cost of said project will be approximately \$103,000,000 (\$75,000,000 for water, wastewater and drainage and \$28,000,000 for roads).

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – November 26, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 724 8309

Password: CEQ78C

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 724 8309

Password: 622282

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at (512) 475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapters 49 and 54, Texas Water Code; Chapter 395, Texas Local Government Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 293; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the hearing as a party, you must attend the hearing and show you would be affected by the petition in a way not common to members of the general public.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-6363. For additional information, contact the TCEQ Water Supply Division, Districts Section (MC 152), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-4691. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: October 25, 2024

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST

Circle S East Municipal Utility District of Ellis County
TCEQ Docket No. 2024-0675-DIS; SOAH Docket No. 582-25-01781
TCEQ Internal Control No. D-08232023-044

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Texas Commission on Environmental
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FOR THE CHIEF CLERK:

via eFilings:

Docket Clerk
Texas Commission on Environmental
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Austin, Texas 78711

<https://www.tceq.texas.gov/goto/efilings>

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DALLAS TX 75201-6318

CITY OF DALLAS
MAYOR
1500 MARILLA ST
DALLAS TX 75201-6318

CITY OF MIDLOTHIAN
HEALTH OFFICIAL
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MIDLOTHIAN TX 76065-2901

CITY OF MIDLOTHIAN
MAYOR
104 W AVENUE E
MIDLOTHIAN TX 76065-2901

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ELLIS COUNTY JUDGE
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WAXAHACHIE TX 75165-0405

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ARLINGTON TX 76005-5888

NORTH TEXAS MUNICIPAL WATER DI
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FORT WORTH TX 76102-0300

FIELD SUPERVISOR
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DALLAS TX 75254-6815

STEPHEN SELINGER
620 TRUELOVE TRL
SOUTHLAKE TX 76092-6113

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LA PRENSA COMUNIDAD
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TOLAR TX 76476-0732

JOHN DAVID THOMAS COMMISSIONER
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MCKINNEY TX 75071-8517

GLENN & SUSIE TOAL
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BETHANIE WALLGREN
316 MAIN ST
JOSEPHINE TX 75173-1211

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

Applicant Name: Circle S East Municipal Utility District
TCEQ Tracking No. D-08232023-044 CID Item No. 135469
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §

COUNTY OF: ELLIS §

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

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

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

of the Waxahachie Daily Light; that said newspaper is
(name of newspaper)

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

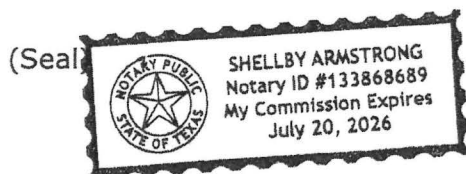
Texas; that the attached notice was published in said newspaper on the following dates:

January 12 and January 19, 2024
(date or dates of publication)

Sherry Groves
Newspaper Representative's Signature

Subscribed and sworn to before me this the 26th day of January,
2024, to certify which witness my hand and seal of office.

Shellby Armstrong
Notary Public in and for the State of Texas



Shellby Armstrong
Print or type Name of Notary Public
My Commission Expires July 20, 2026

PUBLIC NOTICE

**SELL IT
BUY IT
FIND IT**

Place your
classified ad today.

PUBLIC NOTICE

**SELL YOUR CAR
FIND A HOME
GET A JOB
ADOPT A PET
BUY A BOAT
HIRE A HANDYMAN**

Check out the classified section everyday.

PUBLIC NOTICE



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-08232023-044**

PETITION. Circle S Midlothian, LLC, a Texas limited liability company and HAB 3336, LLC, a Texas limited liability company, ("Petitioners") filed a petition for creation of Circle S East Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, Section 52 and Article XX, Section 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 own a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Ag Texas Farm Credit Services, on the property to be included in the proposed District, and the aforementioned entity has consented to the creation of the District and inclusion of all of the land in the District; (3) the proposed District will contain approximately 649.96 acres of land, located entirely within Ellis County, Texas; (4) none of the land to be included in the proposed District is within the corporate limits of any municipality, but a portion of the land is in the extrajurisdiction of the City of Midlothian, Texas (City); and (5) although the City has not consented to creation of the District, the Petitioner has satisfied the requirements of Texas Water Code Section 54.01(b) and (c) and Texas Local Government Code Section 42.042, so that the authorization for inclusion of the land in the proposed District may be assumed pursuant to the cited statutes.

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

The petition further states that the proposed District will: (1) construct, maintain and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain and operate a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase and operate such additional facilities, systems, plants and enterprises of such facilities as shall be consonant with the purposes for which the 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, from the information available at this time, that the cost of said project will be approximately \$103,000,000 (\$75,000,000 for water, wastewater and drainage and \$28,000,000 for roads).

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 petitioner 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: December 21, 2023

EXHIBIT A



Published in Waxahachie Daily Light January 12, 19, 2024.

GUEST COLUMN

Little engines that can

Don Newbury
The Idle American

Compared to the glamour and glitz of Broadway's "Great White Way" in New York City, two Texas venues fall a bit short. Yet, by many standards, they stand equally tall.

I'm referencing Waxahachie, Texas, and Brownwood, Texas, where the Texas Theater and Lyric Theater, respectively, have been successfully resurrected. Each has scheduled plays early this year that are "must see" for my wife Brenda and me. In a world where headlines scream of violence, starvation, fractured budgets, wars and threats of immigration overrun, we visit community theaters for the same reasons folks attended movies during World War II.

At least we can retreat from reality for a couple of hours.

First up is the Texas Theater offers *Amon: The Ultimate Texan*, with 8 p.m. productions scheduled Jan. 19-20 and Feb. 23-24. Tickets are now on sale for the grand one-man show that is reflective of the keen insight, meticulous research and humorous persona of Dave Lieber.

He is an author and certified public speaker who is best known for his twice-weekly "Watchdog" columns in the *Dallas Morning News*. The play's first major run was at the Scott Theater in Fort Worth, where most performances were sold out.

It has played in several West Texas cities and has been a smash hit for all 52 performances. The life of the late Amon Carter — longtime publisher of the *Fort Worth Star-Telegram* and owner of Texas' first TV station and Radio Station WBAP — is brilliantly portrayed by Kelvin Dilks. He was formerly a Birdville ISD trustee and is a retired teacher.

It is directed by Connie Sanchez, also a retired teacher. She maintains a sparkling narrative that is caring, accurate and "gollie funny."



The Lyric Theater Courtesy of Don Newbury

continually emphasizing Amon's love of his hometown and disdain for Dallas.

When "Big D" was chosen for the 1936 Texas Centennial, Amon was furious as he staged a competing extravaganza in Cowtown, hoping that visitors would "choose Dallas for culture and Fort Worth for fun."

We've ordered 40 tickets for senior adults at our church, anticipating "sold out" status for all performances. Word has gotten around that this is a "must see" play about a man well known throughout Texas and the Southwest, and perhaps the late Will Rogers' best friend.

Like the Lyric, the Texas opened over a century ago as a vaudeville venue. It was darkened several times by fires and the impact of TV. Its current vitality is largely attributed to Jon and Alyssa Garrett of Waxahachie.

Early in the 2000s, three Brownwood citizens began a campaign to restore the Lyric to its original opulence. Mostly through modest donations, they've raised more than \$4 million, an unprecedented Texas response. The 367-seat house is beyond regal, probably more so than when it opened in 1920. Managing Director Eric Evans confirms that more than 30,000 persons attended 2023 productions, with even more expected in 2024.

Brenda and I — along with a small army of senior adults from our church — will be on hand for the matinee performance of *All Shook Up* on April 13.

Labeled a "juke box



The Texas Theater

musical" of favorite Elvis Presley hits, the play will be directed by Nancy Jo Humfield, veteran educator who served 34 years at Howard Payne University before retiring there in 2020. I hired her in 1986, and naturally believe that she's the best. (Thousands of others likewise agree, thankful that she continues to pour herself into the local theater scene).

We saw Elvis during a Fort Worth concert in the early 1970s.

Sitting near the stage, Brenda caught a few drops of sweat and didn't bathe for a week.

Other theater efforts, such as those in Granbury and Cleburne, are likewise successful, thanks to continued commitment and hard work.

I salute everyone involved in community theater throughout Texas. They are genuine heroes in this "labor of love."

We who attend are beneficiaries of productions that are often comparable to Broadway, and at prices little more than the tax on Big Apple tickets.

Don Newbury, a longtime university president, writes weekly and speaks throughout Texas. Contact him at 817-447-3872 or newbury@speardco.com.

National Blood Donor Month highlights local need for donations

Staff report

January marks National Blood Donor Month, recognizing the important role of new and consistent donors in building a safe, available blood supply.

The need for this lifesaving resource is constant. Without it, surgeries and medical procedures can be delayed until blood becomes available.

Texas-based Carter BloodCare notes each unit of donated whole blood can save three local lives. If a donor gives once every three months in 2024, those quarterly donations can benefit a dozen patients.

Blood donors help children fighting cancer, mothers going through difficult childbirths, organ transplant recipients, open-heart surgery patients, older



January marks National Blood Donor Month, and each Carter BloodCare donor will receive a new quarter-zip pullover as a thank-you gift for giving in January. Courtesy photo

adults with health issues, those involved in life-threatening vehicle accidents and others with severe trauma injuries.

Residents as young as 17 — or 16 with parental consent — can safely donate blood with Carter BloodCare; there is no upper age limit for donating. Eligible donors must weigh at least 110 pounds and feel

well on the day of their donation.

As a thank-you gift for giving in January, each Carter BloodCare donor will receive a new quarter-zip pullover. Other donor appreciation gifts will be available, while supplies last.

Donors can make an appointment to save lives by visiting CarterBloodCare.org or calling 800-366-2834.

PUBLIC NOTICE

**SELL IT
BUY IT
FIND IT**

Place your
classified ad today.

PUBLIC NOTICE

**SELL YOUR CAR
FIND A HOME
GET A JOB
ADOPT A PET
BUY A BOAT
HIRE A HANDYMAN**

Check out the classified section everyday.

PUBLIC NOTICE

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Issued: December 21, 2023

EXHIBIT A



Published in Waxahachie Daily Light January 12, 19, 2024.

1822320



Texas Attorney General Ken Paxton endorses David Covey at a True Texas Project event in Beaumont on Monday. Covey is running against House Speaker Dade Phelan in the Republican primary. Mark Felix / for The Texas Tribune

AG Paxton campaigns against speaker

Patrick Svitek
The Texas Tribune

Attorney General Ken Paxton on Monday ramped up his political revenge tour following his impeachment last year with a visit to the district of his biggest target: House Speaker Dade Phelan, R-Beaumont.

Paxton spent the day in southeast Texas campaigning with David Covey, a GOP activist from the area who is challenging Phelan in the March primary. The Phelan-led House, including most Republicans, impeached Paxton in May on abuse-of-power charges and the Senate acquitted him after a trial in September.

Appearing together Monday evening in Beaumont, Paxton praised Covey for his "tremendous courage" in challenging the speaker and bashed Phelan as being too deferential to Democrats.

"We have to protect Texas, and it's guys like David Covey that are gonna go down there and undo what the speaker has done," Paxton said.

Paxton campaigned with Covey earlier in the day in Orange, and he was set to head Tuesday to North Texas for more campaign stops for Texas House candidates. Paxton has gone on an endorsement spree since his acquittal, mostly backing primary challengers to the dozens of House Republicans who voted to impeach him.

Paxton's efforts are not just focused on the House. While in Beaumont, he also pitched three primary challengers he recruited to run against judges on the Texas Court of Criminal Appeals, which angered him in 2021 when it struck down his power to unilaterally prosecute voter fraud.

"They're gonna try to put me in jail for doing this, but I don't care," Paxton said of his endorsements against the judges.

Phelan has been similarly unapologetic about the impeachment, which has made him not only a target of Paxton but also deepened a rift with Lt. Gov. Dan Patrick. Patrick served as judge in the trial and ended it with a speech accusing the House of cutting corners in its impeachment process.

During a campaign stop last week in Port Neches, Phelan said Paxton and Patrick "have a problem with me because I'm gonna do what's best for the state of Texas," not what is best for them.

"I'm not gonna turn my back on corruption, I'm not gonna turn my back on malfeasance," Phelan said. "I'm gonna do the right thing all day long, every day."

As Paxton was campaigning with Covey on Monday evening, Phelan announced the endorsement of former Gov. Rick Perry, who had lobbied state senators to consider the evidence against Paxton. Perry's endorsement called Phelan a "fearless conservative and a Texas Hero."

Covey and other Phelan critics have sought to undermine the speaker's record by highlighting GOP priorities that have not made it out of the House, like Abbott's yearlong push for school vouchers. They have also pointed to Phelan's adherence to a tradition of appointing Democratic committee chairs.

"Friends, in one time, slavery was a tradition here, but a Republican stood up and said, Enough is enough," Covey said Monday evening. He added that Phelan is "undermining and selling out our state."

Phelan has defended Democratic committee chairs as a worthwhile practice that prevents the Legislature from seeing the kind of gridlock that regularly grips Congress. Even then, he boasted during the Port Neches stop that last year he appointed "fewer Democratic chairs than any other speaker's ever appointed in the history of the state of Texas as long as we're Republican."

Paxton's appearance in Beaumont came as the state was dealing with unusually freezing conditions that appeared to put a damper on turnout. Paxton left early due to anticipated road conditions, according to an organizer.

Covey is an oil-and-gas consultant and the former chair of the Orange County GOP. Alicia Davis, an anti-tax activist from Jasper, is also running against Phelan in the March 5 primary.

Phelan has taken the contest seriously, airing TV ads touting his conservative bona fides since November. He more recently got the endorsement of the National Rifle Association, which cited the House's 2021 passage of a law allowing permitless carry of handguns.

Asked about the NRA endorsement Monday, Covey said he was prouder to have high marks from the Gun Owners of America, which bills itself as a harder-line alternative to the NRA. The NRA, Covey added, has "gone astray and that makes me sad."

Covey also got an audience question about "TEXTIT," or the movement for Texas to secede from the United States. He said he has signed a petition from the Texas Nationalist Movement that calls for letting voters decide the question.

We believe the newspaper is an essential resource for developing strong communities

CherryRoad
media

info@CherryRoad.com • www.cherryroad.com

CERTIFICATE OF POSTING NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS §
 §
COUNTY ELLIS §

I, Tina Chambers, do hereby certify that at 9:41 ~~am~~^{pm} on 1-2, 2024, I posted the attached and foregoing Notice of District Petition for Creation of Circle S East Municipal Utility District of Ellis County from the Texas Commission on Environmental Quality (TCEQ Internal Control No. D-08232023-044) on the bulletin board used for posting legal notices at the Ellis County Clerk's Office as required by 30 Texas Administrative Code §293.12(b)(2).

EXECUTED this 2nd day of January 2024.

Signature: Tina Chambers

Printed Name: Tina Chambers

2024 JAN -2 AM 9:41

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

FILED FOR RECORD
KRISTAL VALDEZ
ELLIS COUNTY CLERK



NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-08232023-044

PETITION. Circle S Midlothian, LLC, a Texas limited liability company and HAB 3336, LLC, a Texas limited liability company, ("Petitioners") filed a petition for creation of Circle S East Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, Section 52 and Article XVI, Section 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 own a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Ag Texas Farm Credit Services, on the property to be included in the proposed District, and the aforementioned entity has consented to the creation of the District and inclusion of all of the land in the District; (3) the proposed District will contain approximately 649.96 acres of land, located entirely within Ellis County, Texas; (4) none of the land to be included in the proposed District is within the corporate limits of any municipality, but a portion of the land is in the extraterritorial jurisdiction of the City of Midlothian, Texas (City); and (5) although the City has not consented to creation of the District, the Petitioner has satisfied the requirements of Texas Water Code Section 54.016(b) and (c) and Texas Local Government Code Section 42.042, so that the authorization for inclusion of the land in the proposed District may be assumed pursuant to the cited statutes.

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

The petition further states that the proposed District will: (1) construct, maintain and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes, (2) construct, maintain and operate a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes, (3) construct, install, maintain, purchase and operate drainage and roadway facilities and improvements, and (4) construct, install, maintain, purchase and operate such additional facilities, systems, plants and enterprises of such facilities as shall be consonant with the purposes for which the 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, from the information available at this time, that the cost of said project will be approximately \$103,000,000 (\$75,000,000 for water, wastewater and drainage and \$28,000,000 for roads).

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.

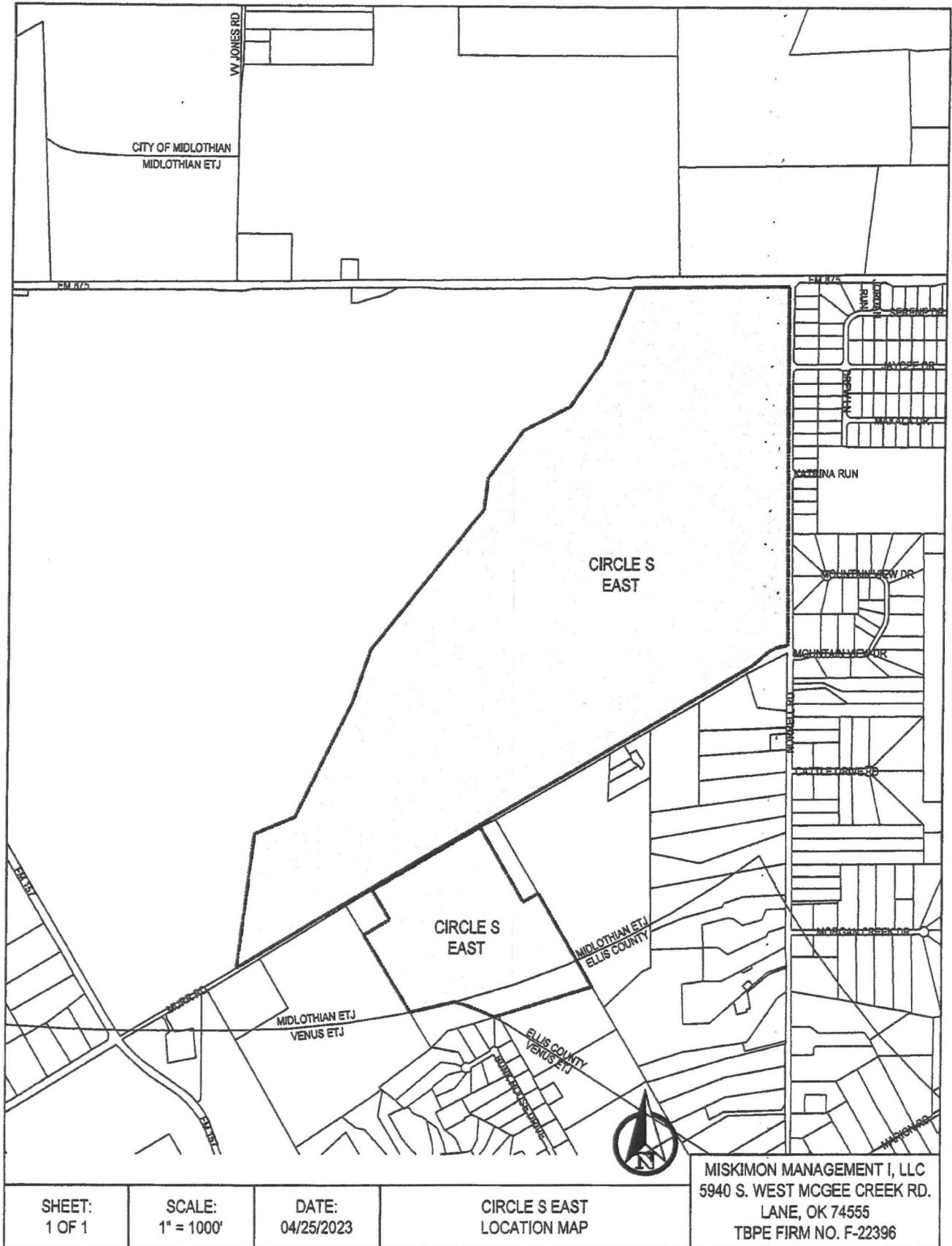
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request 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: December 21, 2023

EXHIBIT A



Juliet Varra

From: Hahn, Vicki <vhahn@winstead.com>
Sent: Monday, January 29, 2024 8:13 AM
To: PROOFS
Cc: Daniel Harrison; Montague, Melisa
Subject: Circle S East Municipal Utility District of Ellis County - D-08232023-044 ("District") - Proofs of Publishing and Posting Notice of District Petition
Attachments: Circle S East - Affidavit of Publication of Notice of District Petition in Waxahachie Daily Light and tear sheet for 1-12-24 and 1-19-24~.pdf; Circle S East MUD - Evidence of Posting Notice of District Petition at County 4881-1614-4794 1.pdf

Good morning,

In accordance with 30 T.A.C. 293.12, attached are the following proofs for the District:

1. Affidavit of Publication for the Notice of District Petition and the tear sheets for the Waxahachie Daily Light for January 12, 2024 and January 19, 2024; and
2. Certificate of Posting of Notice of District Petition by the county dated January 2, 2024.

If you need anything else, please let me know.

Best regards,

Vicki

Vicki Hahn
Paralegal

Winstead PC | 401 Congress Avenue, Suite 2100 | Austin, Texas 78701
(512) 370-2931 *direct* | (310) 490-5060 *cell* | vhahn@winstead.com | www.winstead.com

Information contained in this transmission is attorney privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone.

Georgia Carroll-Warren

From: TexReg@sos.texas.gov
Sent: Wednesday, December 27, 2023 11:46 AM
To: Mehgan Taack
Subject: TEXAS REGISTER ACKNOWLEDGMENT OF RECEIPT

ACKNOWLEDGMENT OF RECEIPT

Please note that this email acknowledges receipt of your filing only.
If we find that the document or submission form does not conform to statutory filing requirements or our administrative rules, we may refuse to accept it for filing and publication.
If we refuse your filing, we will notify you.

TRD Number: 202304985
For Issue of: 01/05/2024

Submission Date: 2023-12-27 11:39 AM
Receipt Date: 2023-12-27 11:46 AM

Miscellaneous Document Submission

Agency Name: Texas Commission on Environmental Quality
Agency Code: 0152
Liaison: Mehgan Taack
Title of Document: NOTICE OF DISTRICT PETITION

File Name: DIS122723.docx

D-08232023-044
Circle S East MUD

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT PETITION
TCEQ Internal Control No. D-08232023-044

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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.

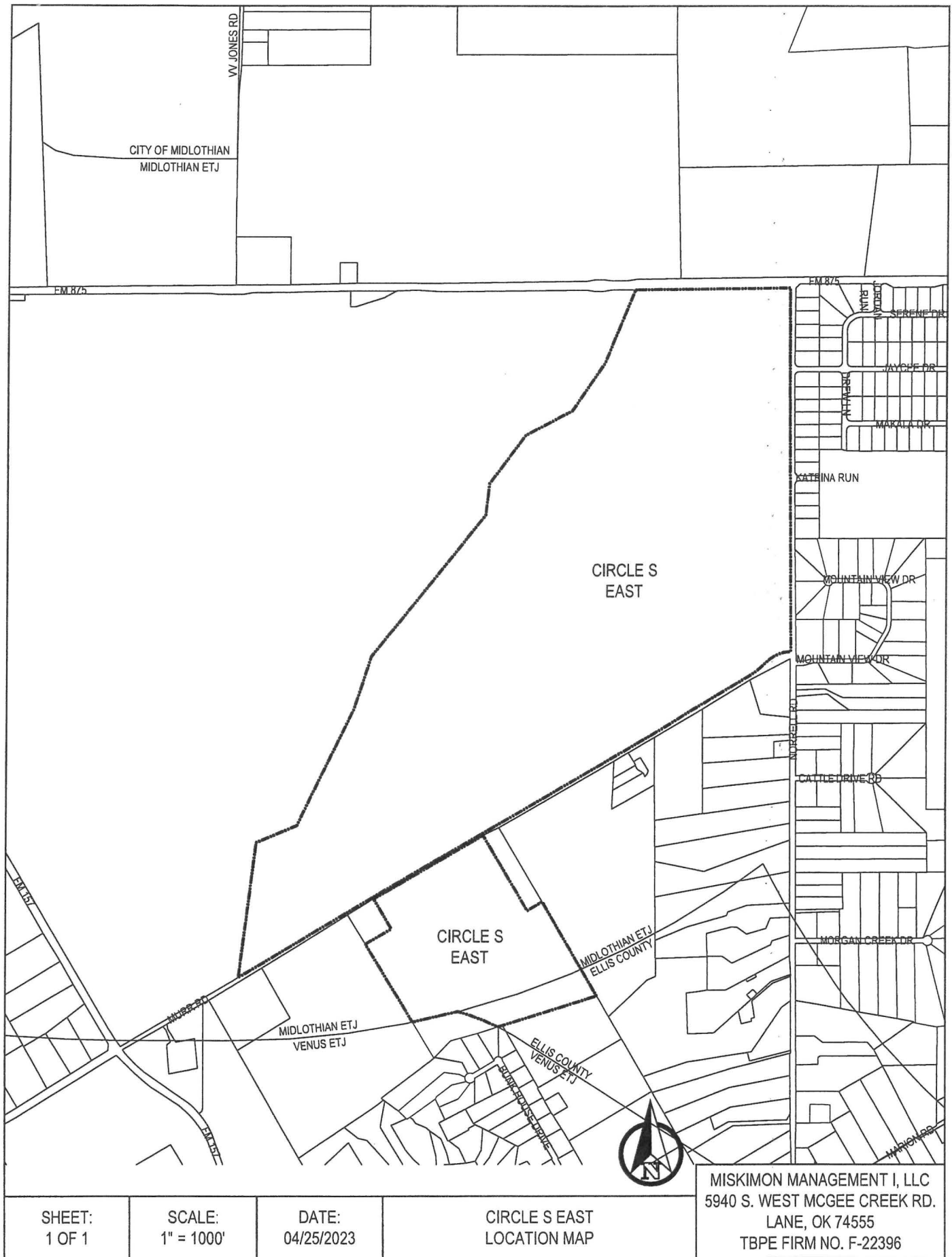
To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request 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: December 21, 2023

EXHIBIT A



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



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

December 21, 2023

Mr. Ross Martin
Winstead PC
2728 North Harwood Street
500 Winstead Building
Dallas, Texas 75201

Re: Publication of Notice of District Petition regarding creation of Circle S East
Municipal Utility District of Ellis County
TCEQ Internal Control No. D-08232023-044

Dear Mr. Martin:

Enclosed is a copy of the notice for the above petition. Please carefully review the notice for accuracy prior to publication and distribution. Contact Daniel Harrison in the District Administration Office at 512/239-1224 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

Circle S East Municipal Utility District of Ellis County
TCEQ Internal Control No. D-08232023-044

Mr. Ross Martin
Winstead PC
2728 N. Harwood Street
500 Winstead Building
Dallas, Texas 75248

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Todd Galiga, Senior Attorney, Environmental
Law Division, MC-173

Mr. Ken Heroy, P.E.
Jones-Heroy & Associates, Inc.
13915 N. Mopac Expressway, Suite 408
Austin, Texas 78728

Daniel Harrison, Technical Reviewer, Districts
Bond Team, MC-152

Ms. Alyssa Taylor, Regional Director
TCEQ Region 4
2309 Gravel Drive
Fort Worth, Texas 76118-6951

Allie Soileau, Staff Attorney, Environmental
Law Division, MC-173

Justin P. Taack, Manager, Districts Section,
MC-152

The Honorable Brian Birdwell
Texas Senate District 22
P. O. Box 12068
Capitol Station
Austin, Texas 78711

Michelle Voytko, Data Infrastructure Specialist,
Water Supply Division, MC-153

Sheldon P. Wayne, Office of the Public Interest
Counsel, MC-103

The Honorable Brian Harrison
Texas House District 10
P. O. Box 2910
Austin, Texas 78768

Ms. Tammy Varner, TRMC, City Secretary
City of Midlothian
104 West Avenue E
Midlothian, Texas 76065

Ellis County Clerk
Attn: Ms. Krystal Valdez
P. O. Box 250
Waxahachie, Texas 75168

Ellis County Judge
Attn: The Honorable Todd Little
Ellis County Courthouse
101 West Main Street
Waxahachie, Texas 75165

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

Applicant Name: Circle S East Municipal Utility District
TCEQ Tracking No. D-08232023-044 CID Item No. 135469
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 _____