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June 13, 2016

VIA TCEQ's eFILING SYSTEM

Ms. Bridget C. Bohac
Office of Chief Clerk (MC-105)
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F
Austin, Texas 78753 (delivery)

Re: Applicant Beneficial Land Management, LLC's Response To Requests For Contested Case Hearing, TCEQ Docket No. 2016-0665-IWD.

Dear Ms. Bohac:

Enclosed for filing in the above-referenced matter is *Applicant Beneficial Land Management, LLC's Response To Requests For Contested Case Hearing*. Please file this document on behalf of Applicant Beneficial Land Management, LLC. If you have any questions, please telephone me at the above number.

Sincerely,



Erich M. Birch

Beneficial Land Management, LLC

ENCLOSURE

cc: Service List

TCEQ DOCKET NO. 2016-0665-IWD

**APPLICATION BY BENEFICIAL
LAND MANAGEMENT, L.L.C.
FOR RENEWAL OF BENEFICIAL
LAND APPLICATION PERMIT
NO. WQ0004666000**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**APPLICANT BENEFICIAL LAND MANAGEMENT, L.L.C.'S
RESPONSE TO REQUESTS FOR CONTESTED CASE HEARING**

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW Beneficial Land Management, L.L.C. ("BLM"), applicant in this proceeding, and hereby submits this, its *Response to Requests for Contested Case Hearing*, arguing that BLM's *Request for Reconsideration* should be granted, and that if it is not, then in the alternative, the hearing requests filed by Cynthia Doyle, Steve Holzheuser, Dorothy B. Simons, and Victoria County should be denied, and the hearing requests filed by BLM and the City of La Coste should be granted, and would respectfully show the Honorable Commissioners as follows:

I. BACKGROUND

BLM has applied to TCEQ for the renewal of Beneficial Land Application Permit No. WQ0004666000 (the "Permit"). When approved, the Permit will authorize BLM to continue to land apply wastewater treatment plant ("WWTP") sewage sludge at an overall rate not to exceed eight dry tons per acre per year on 726.1 acres ("Permitted Site") located within an approximately 2,881-acre site known as the Arenosa Creek Ranch site. BLM's renewal application was filed on December 11, 2011, and was declared administratively complete on or about January 24, 2013, at which time TCEQ issued "Notice of Receipt of Application and Intent

to Obtain a Beneficial Land Use Permit Renewal, Permit No. WQ00046666000” (“NORI”). TCEQ issued “Amended Notice of Receipt of Application and Intent to Obtain a Beneficial Land Use Permit Renewal, Permit No. WQ00046666000” (“Amended NORI”) on September 30, 2014. The Amended NORI was published in the *Victoria Advocate* on October 16, 2014. The application was declared technically complete on or about July 15, 2015, at which time TCEQ issued “Notice of Application and Preliminary Decision for Land Application Permit of Sewage Sludge Renewal, Permit No. WQ00046666000” (“NAPD”). The NAPD was published in the *Victoria Advocate* on July 22, 2015. A notice of public meeting was mailed to interested persons on December 8, 2015, and the public meeting was held on January 21, 2016, at which time the public comment period ended. The Executive Director of TCEQ issued his Response to Comments and Final Decision Letter on March 28, 2016. All timely filed requests for contested case hearing or requests for reconsideration were required to be filed with TCEQ by April 27, 2016.

II. ARGUMENT AND AUTHORITIES

Pursuant to Commission rules, a request for contested case hearing is only to be granted if the request is:

- (1) made by the applicant or the executive director;
- (2) made by an *affected person* if the request

30 TEX. ADMIN. CODE § 55.211(c) (emphasis added). With regard to the term “affected person,” commission rules provide the following:

- (a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.

(b) Except as provided by §55.103 of this title (relating to Definitions), governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.

(c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

(1) whether the interest claimed is one protected by the law under which the application will be considered;

(2) *distance restrictions or other limitations imposed by law on the affected interest;*

(3) whether a reasonable relationship exists between the interest claimed and the activity regulated;

(4) likely impact of the regulated activity on the health and safety of the person and on the use of property of the person;

(5) likely impact of the regulated activity on use of the impacted natural resource by the person;

* * *

(7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

Id. § 55.203(a)-(c) (emphasis added).

In making the affected person determination, distance restrictions or other limitations imposed by law must be followed. *See id.* § 55.203(c)(2). For applications for the beneficial land application of sewage sludge, such as the application that is the subject matter of this proceeding, the Texas Legislature has specifically defined those persons that qualify as an affected person by identifying a distance restriction. Texas Health and Safety Code Section 361.121(c) provides, in relevant part: “*An owner of land located within one-quarter mile of the proposed land application unit who lives on that land is an affected person . . .*” TEX. HEALTH & SAFETY CODE § 361.121(c) (emphasis added). By imposing such a distance restriction, the Legislature affirmatively defined that an affected person in this type of

proceeding is a person that lives on land located within one-quarter mile of a proposed land application site.¹

Based on the correspondence received by the Commission, requests for contested case hearing were submitted by BLM (the applicant), three individuals, and two governmental entities. Hearing requests were filed by:

- (1) BLM, the applicant in this proceeding;
- (2) Cynthia Doyle;
- (3) Steve Holzheuser;
- (4) Dorothy B. Simons;
- (5) Victoria County; and
- (6) the City of La Coste.

The merits of each of these requests for contested case hearing will be addressed individually below.

A. BLM

BLM is the applicant in this permitting proceeding, and as such, is entitled to a contested case hearing pursuant to 30 TEX. ADMIN. CODE Section 55.201(b)(3). BLM has a personal, justiciable economic interest affected by the application, TCEQ's final decision regarding the application, and the Permit to be issued by the Commission that is not common to members of the general public; and thus, BLM is an affected person.

BLM notes that it has also filed a *Request for Reconsideration* in this proceeding. BLM urges the Commissioners to grant its *Request for Reconsideration* for the reasons identified in

¹ The one-quarter mile distance restriction was added to then-existing Section 361.121 in 2003. See H.B. 2546, 78th R.S. (2003). At that time, the Bill Analysis of the engrossed version of H.B. 2546 prepared by the Senate Research Center identified that the language was added to subsection (c) to provide "that an owner of land located within one-quarter mile of the proposed land application unit who lives on that land is an affected person for purposes of Section 5.115, Water Code." Bill Analysis of H.B. 2546, Engrossed, Senate Research Center (May 9, 2003).

detail in that request. Specifically, BLM requests that the Commissioners remand the application and Draft Permit to the Executive Director for reconsideration with specific instructions to delete any language from the Draft Permit that would prohibit BLM from land applying the domestic sludge from the La Coste WWTP and to issue TCEQ Permit No. WQ0004666000 without any such prohibition. If the Commissioners deny BLM's *Request for Reconsideration*, BLM asserts that its request for contested case hearing must be granted because BLM is clearly an affected person pursuant to Commission rules.

B. Cynthia Doyle

Cynthia Doyle requested a contested case hearing as part of her written statement that was provided to TCEQ at the public meeting on this matter. At that time, Ms. Doyle identified her physical address as 2012 Benbow Road, Inez, Texas. Ms. Doyle's physical address is not located within one-quarter mile of the outer boundary of the Permitted Site. In fact, Ms. Doyle's physical address is located *more than two miles* from BLM's Permitted Site. Because her property is such a great distance from the Permitted Site, Ms. Doyle does not qualify as an affected person in this proceeding. In addition, Ms. Doyle did not raise any issues that would not be common to members of the general public that would qualify as a personal justiciable interest. Ms. Doyle raises only very generic interests such as a general concern with the safety of water and land. She does not state that she or her property would be specifically affected by the permitted beneficial land application of sewage sludge at the Permitted Site. As such, because of Ms. Doyle's great distance from BLM's Permitted Site because and she raises no issues not common to members of the general public, Ms. Doyle does not qualify as an affected person, and her hearing request must be denied.

C. Steve Holzheuser

In his request for hearing dated April 27, 2016, Mr. Holzheuser identifies that he is the general partner of a family limited partnership that owns and operates a 600-acre contiguous tract of land bordered by Farm-to-Market 444 North on the south and by U.S. Highway 59 on the east near the town of Inez, Texas. Mr. Holzheuser's property is also located well over two miles from BLM's Permitted Site. In addition, Mr. Holzheuser does not live on the land as required by Texas Health & Safety Code Section 361.121(c). Based on Mr. Holzheuser correspondence with the Commission, he lives in Austin. While Mr. Holzheuser claims that groundwater and surface water contamination could migrate from the Permitted Site to his property, such claims do not qualify as a personal justiciable interest because he fails to raise any issue that is not common to members of the general public that live in that general direction from the Permitted Site. As such, because of the property's great distance from BLM's Permitted Site, because Mr. Holzheuser raises no issues not common to members of the general public, and because he does not live on the property in question, Mr. Holzheuser does not qualify as an affected person, and his hearing request must be denied.

D. Dorothy B. Simons

In her hearing request dated April 21, 2016, Ms. Simons identifies that her property adjoins BLM's property. Her letter, though, does not identify where her property is located in relationship to the Permitted Site. BLM's research indicates that Ms. Simons' property is located as shown on Attachment 1, the adjacent landowner map included in BLM's application.²

² The property associated with Ms. Simons' family is shown at numbers 10 and 11 on the map included in Attachment 1. The included landowner list that goes with the map incorrectly spells the Simons' family name as Simmons.

Ms. Simons' property is located approximately one mile from BLM's Permitted Site, but she does not live on the property as required by Texas Health & Safety Code Section 361.121(c), which states: "An owner of land located within one-quarter mile of the proposed land application unit *who lives on that land is an affected person.*" TEX. HEALTH & SAFETY CODE § 361.121(c) (emphasis added). Based on Ms. Simons' correspondence with the Commission, she currently resides in Houston. As such, she cannot qualify as an affected person pursuant to state law because her property is located more than one-quarter mile from BLM's Permitted Site, and she does not live on the property. Ms. Simons' request for contested case hearing should be denied.

E. Victoria County

Victoria County filed a hearing request on April 25, 2016. Counties in Texas "may exercise only those powers expressly conferred by either the legislature or the Texas Constitution." *City of Laredo v. Webb County*, 220 S.W.3d 571, 576 (Tex. App.—Austin, 2007). While Victoria County references a number of state laws providing general authority to counties, none of those laws that it identifies provide Texas counties any authority over permitting issues regarding the beneficial land application of sludge.

For example, Victoria County points to Texas Health and Safety Code Section 121.003(a), which provides: "The governing body of a municipality or the commissioners court of a county may enforce any law that is reasonably necessary to protect the public health." TEX. HEALTH & SAFETY CODE § 121.003(a). While this appears to be a large grant of authority, it must be read in conjunction with the entirety of Chapter 121 of the Texas

Health and Safety Code, which is titled “Local Public Health Reorganization Act.” Chapter 121 addresses public health services, which include services such as:

- (1) personal health promotion and maintenance services;
- (2) infectious disease control and prevention services;
- (3) environmental and consumer health programs;
- (4) public health education and information services;
- (5) laboratory services; and
- (6) administrative services.

Id. § 121.006(d). Chapter 121 also addresses local health units (divisions of local governments that provide public health services), health authorities (physicians appointed to administer state and local law relating to public health), and the regulation of mobile food units and roadside food vendors in certain areas. *See, e.g., id.* §§ 121.0035, 121.004 & 121.021. In general, the provisions of Chapter 121 are related to actual health related services; they do not confer authority on Victoria County regarding the permitting of the beneficial land application of sludge.

Similarly, Victoria County points to Texas Water Code Chapter 26, Subchapter E, “Authority of Local Governments,” but a review of the various provisions included in Subchapter E again shows that no specific authority has been conferred on Victoria County regarding the permitting of the beneficial land application of sludge. While Subchapter E authorizes local governments to inspect public and private property within its jurisdiction to evaluate conditions relating to water quality, the results of that inspection are to be provided to the Commission for further action. *See* TEX. WATER CODE § 26.173. The other provisions of Subchapter E do not provide any broader authority to counties, and in fact, the provisions that provide the most authority over water pollution control confer that authority only to cities in the state. *See, e.g., id.* §§ 26.177 & 26.180.

Victoria County also points to Chapter 361 and 364 of the Texas Health and Safety Code relating to solid waste. Chapter 364 authorizes counties to regulate by rule “solid waste collection, handling, storage, and disposal in areas of the county not in a municipality or the extraterritorial jurisdiction of a municipality.” TEX. HEALTH & SAFETY CODE § 364.011(a). Similarly, Section 364.012 defines the process whereby a county can prohibit solid waste disposal in a specific part of a county via ordinance. *See id.* § 364.012. Victoria County’s letter did not identify that it had adopted any rules or an ordinance prohibiting solid waste disposal as contemplated by Chapter 364, so no specific authority that may have been conferred on Victoria County has actually been exercised. Also, Chapter 364 only addresses a county’s authority over the disposal of solid waste. The beneficial land application of sewage sludge does not involve disposal of solid waste. The sewage sludge is used for a beneficial purpose and is not “disposed” under state law, so Chapter 364 does not confer Victoria County any authority associated with the permitting process for the beneficial land application of sewage sludge.

In addition, Chapter 361 does not confer any other type of authority over the beneficial land application of sludge on Victoria County. Only Section 361.121 addresses the permitting process for the land application of sludge. Section 361.121 does not confer any authority on counties as part of the permitting process. *See id.* § 361.121. As such, Victoria County has not identified that it has authority associated with this permitting process and as such is not an affected person pursuant to TCEQ rules.

Victoria County does have general authority to investigate and seek the abatement of nuisances pursuant to Texas Health and Safety Code Chapter 341, but a local government is only considered an affected person if it has “authority under state law over issues raised by the application.” *See* 30 TEX. ADMIN. CODE § 55.203(b). BLM is not seeking a permit from TCEQ

to create or maintain a nuisance, and simply having the authority to investigate and abate nuisances does not make Victoria County an affected party. BLM is seeking to continue to operate its beneficial land application site pursuant to the strict rules of the Commission. In fact, the entire purpose is to demonstrate compliance with state law and TCEQ rules. Victoria County does not allege that the operation of the Permitted Site over the past several years has led to nuisance conditions, and BLM's Permitted Site has never been the subject of a TCEQ enforcement case, or for that matter, a Victoria County proceeding, alleging nuisance-related claims against BLM. Victoria County's nuisance-related authority is an enforcement authority that it can, but has never, utilized; it is not related to permitting. As such, Victoria County did not identify any authority over issues raised by this application, and its hearing request should be denied.

F. *City of La Coste*

BLM requests that its *Request for Reconsideration* be granted. In the alternative, BLM supports the City of La Coste's request for contested case hearing.

III. CONCLUSION AND PRAYER

For the foregoing reasons, Beneficial Land Management, L.L.C. respectfully requests that the Honorable Commissioners of the Texas Commission on Environmental Quality:

- (A) Grant BLM's *Request for Reconsideration*, but if such request is not granted, then grant BLM's *Request for Contested Case Hearing*.
- (B) Deny the requests for contested case hearing filed by Cynthia Doyle, Steve Holzheuser, and Dorothy B. Simons. Both Ms. Doyle's and Mr. Holzheuser's properties are located well outside the quarter-mile distance limitation specified in

Texas Health & Safety Code Section 361.121(c). Both persons' properties are located over two miles from BLM's Permitted Site, and thus, they do not qualify as affected persons under state law, and their hearing requests must be denied. In addition, Mr. Holzheuser does not live on the property that he claims will be impacted by BLM's Permitted Site, as required for affected person status pursuant to Section 361.121(c). Similarly, Ms. Simons' property is located approximately one mile from BLM's Permitted Site, and Ms. Simons does not live on that property. Instead, she lives in Houston. As such, Ms. Simons does not qualify as an affected person pursuant to Section 361.121(c).

- (C) Deny the request for contested case hearing filed by Victoria County because Victoria County did not identify that it had been conferred any authority under state law over the permitting issues raised by BLM's application.
- (D) If BLM's *Request for Reconsideration* is not granted, then grant the City of La Coste's request for contested case hearing.

Respectfully submitted,

BIRCH, BECKER & MOORMAN, LLP
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Austin, Texas 78759
Phone: (512) 349-9300
Fax: (512) 349-9303
ebirch@birchbecker.com
amoorman@birchbecker.com

By: /s/ Erich Birch
ERICH M. BIRCH
State Bar No. 02328395

TCEQ DOCKET No. 2016-0665-IWD

ANGELA K. MOORMAN
State Bar No. 24007700

**ATTORNEYS FOR BENEFICIAL LAND
MANAGEMENT, L.L.C.**

CERTIFICATE OF SERVICE

I certify that the foregoing document has been filed with the Office of the Chief Clerk of the Texas Commission on Environmental Quality using TCEQ's eFiling system. I also certify that a true and correct copy of the foregoing document has been served upon all required individuals for this docket via facsimile, certified mail return receipt requested, hand delivery, overnight delivery, or electronic mail addressed to:

<p>Ms. Bridget C. Bohac Office of the Chief Clerk (MC-105) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 (512) 239-3311 (Fax) http://www14.tceq.texas.gov/epic/eFiling/</p>	<p><i>For the Office of the Chief Clerk of the Texas Commission on Environmental Quality</i></p>
<p>Ms. Ashley McDonald Staff Attorney Environmental Law Division (MC-173) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Fax: (512) 239-0600</p> <p>Ms. Kellie Crouch-Elliot Technical Staff Water Quality Division (MC-148) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Fax: (512) 239-4430</p>	<p><i>For the Executive Director of the Texas Commission on Environmental Quality</i></p>
<p>Mr. Vic McWherter Public Interest Counsel (MC-103) Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Fax: (512) 239-6377</p>	<p><i>For the Office of Public Interest Counsel of the Texas Commission on Environmental Quality</i></p>
<p>Ms. Cynthia Doyle 3012 Benbow Road Inez, Texas 77968-3328</p>	<p><i>Hearing Requester</i></p>





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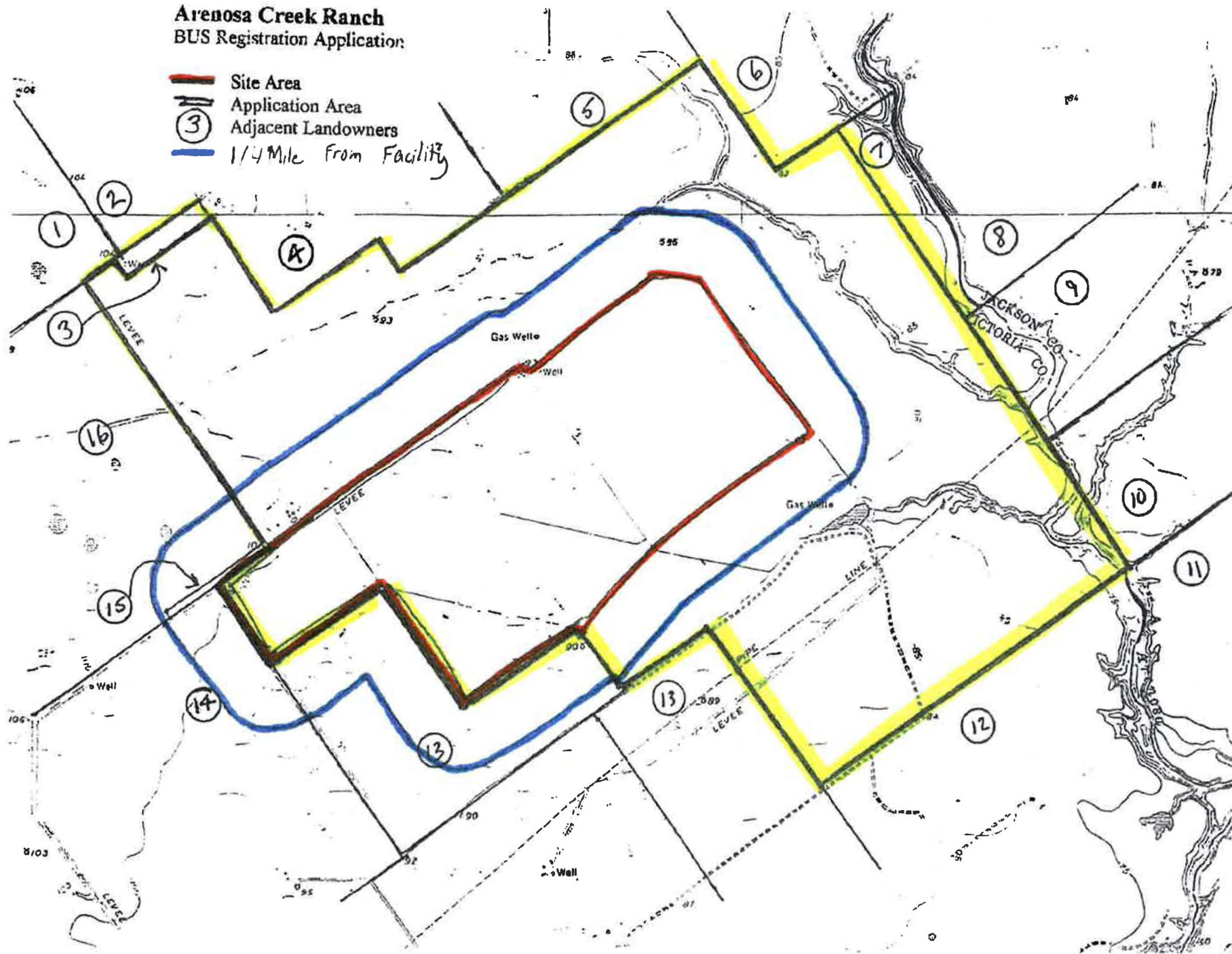
Mr. Steve Holzheuser 3200 Grandview Street, Apt. 16 Austin, Texas 78705	<i>Hearing Requester</i>
Mr. J. Eric Magee Allison Bass & Magee LLP 402 West 12th Street Austin, Texas 78701-1817	<i>Representing Victoria County, Texas, Hearing Requester</i>
Mr. C. George Salzman City of La Coste P.O. Box 112 La Coste, Texas 78039-0112	<i>For the City of La Coste, Texas, Hearing Requester</i>
Ms. Dorothy B. Simons 2021 McDuffie Street Houston, Texas 77019-6133	<i>Hearing Requester</i>

On this the 13th day of June, 2016,

/s/ Erich Birch
ERICH M. BIRCH

Arenosa Creek Ranch BUS Registration Application

-  Site Area
-  Application Area
-  Adjacent Landowners
-  1/4 Mile From Facility



Swann Real Estate, Inc.
3016 Morning Trail
San Antonio, Texas 78247
Tel. 210 865 3446

November 30, 2011

Mr. Jess Mayfield
Beneficial Land Management, LLC
P. O. Box 6870
San Antonio, Texas 78208-0870

Surface Ownership Report: Adjacent and Contiguous Lands to the "Mayfield Ranch",
Victoria and Jackson Counties, Texas.

Dear Mr. Mayfield,

Following your request, I have checked the official tax records and ownership maps of the Appraisal District Offices of Victoria and Jackson Counties to determine the names and addresses of the current surface owners surrounding the Mayfield Ranch, located in Victoria and Jackson Counties. The following is a list of the owners as shown in the official records of the county offices named above, as of November 30, 2011. Attached please find a plat that shows each tract as numbered below. The portion of the subject plat representing the Mayfield Ranch is colored in yellow.

OWNERS NAME AND ADDRESS	LOCATION	PROPERTY ID	ACRES
1.) Carol J Musselman Kirkwood 70 Granburg Circle San Antonio, Tx. 78218	IRR Co. Sur. A221 Victoria Co.	R34702	99.78
2.) Elizabeth Ann Mozisek 340 County Rd. 131 Edna, Tx. 77957	IRR Co. Sur. A221 Victoria Co.	R34700	323.17
3.) Nancy Carol Johnson, et. al. 1190 Benbow Rd. Inez, Tx. 77968	T.D. Wood Sur. A419	R37683	10

4.) Koontz Ranch Partnership, Ltd. P.O.Box 307 Inez, Tx. 77968-0307	T.D. Wood Sur. A-419 Victoria Co.	R37680	120 acs.
5.) Laura L. Campbell 5114 Cloverleaf Lane Austin, Tx. 78723	J.W. Ward Sur. A-453 Victoria Co.	R37831	472 acs.
6.) Carolyn Lewis Gallagher Successor Trustee %The Frost National Bank Trust Real Estate P.O. Box 2950 San Antonio, Tx. 78299	T. Mckay Sur. A-258 Victoria, Co.	R34978	477 acs. 25% und.
Edward Sibley Lewis Trustee Edward Sibley Lewis Irrevocable Trust The Frost National Bank Real Estate Trust P.O. Box 2950 San Antonio, Tx. 78299	T. Mckay Sur. A 258 Victoria Co.	R34979	477 acs. 75% und.
7.) Stephen L. Kolle 15014 J2 Ranch Rd. Inez ,Tx. 77968	J. MCCrab Sur. A-697 Jackson Co.	R38400	45 acs. 33.5 % und.
Michele and Allison Kolle 2 Heather Wisp Ct. The Woodlands , Tx. 77381	J. MCCrab Sur. A697 Jackson Co	R31292	45 acs. 33.5%
Gayla Kolle Goff P.O. Box 61 Telferner, Tx. 77988	J MCCrab Sur. A- 697 Jackson Co.	R42136	45 acs. 33% und.
8.) Mrs. Gayla Goff P.O.Box 61 Telfemer, Tx. 77988	J. MCCrab Sur. A-222 Jackson Co	R29181	823.44 acs und.33.34%

<p>Stephen L. Kolle 15014 J2 Ranch Rd. Inez, Tx. 77968</p>	<p>J. MCCrab Sur. A222 Jackson Co.</p>	<p>R29121</p>	<p>823.44 acs. und. 33.34%</p>
<p>Allison Kolle 7260 Walling Dallas, Tx. 75231</p>	<p>J. MCCrab Sur. A-222 Jackson Co.</p>	<p>R29183</p>	<p>823.44 acs. und. 16.67%</p>
<p>Michele Kolle Kuykendall 2 Heather Wisp Ct. The Woodlands, Tx. 77381</p>	<p>J. MCCrab Sur. A-222 Jackson Co.</p>	<p>R040503</p>	<p>823.44acs. und.16.67%</p>
<p>9.)W.W. Hunt Jr. Partners Ltd. P.O. Box 14 Ganado, Tx. 77962-0014</p>	<p>J. MCCrab Sur. A 222 Jackson Co.</p>	<p>R29186</p>	<p>662.10acs.</p>
<p>10.) George F. Simmons Sr. Trust Att: George F Simmons Jr. P.O. Box 22301 Houston, Tx. 77227-2301</p>	<p>J. MCCrab Sur. A222 Jackson Co.</p>	<p>R29187</p>	<p>500 acs.</p>
<p>11.) George F. Simmons Jr. and Loine Ann Simmons P.O.Box 22301 Houston, Tx. 77227-2301</p>	<p>J. Hays Sur. A116 Jackson Co.</p>	<p>R28824</p>	<p>203 acs.</p>
<p>12.) Donald Meek and Sons 1190 Benbow Rd. Inez ,Tx. 77968-9802</p>	<p>J Hays Sur A 544 Victoria Co.</p>	<p>R38351</p>	<p>68.10 acs.</p>
<p>Donald Meek and Sons 1190 Benbow Rd. Inez, Tx. 77968-9802</p>	<p>B. Sims Sur. A-295 Victoria Co.</p>	<p>R35629</p>	<p>442 acs.</p>

13.) Donald Meek and David R. 1190 Benbow Rd. Inez, Tx. 77968-9802	T&Norr Sur. A-369 Victoria Co.	R37137	220 acs.
Donald Meek and David R. 1190 Benbow Rd. Inez , Tx. 77968-9802	H. Wood Sur. A-369 Victoria Co.	R37660 R37662	237.86 acs. 60 acs.
14.) Anne Bell B. Allen P.O. Box 465 Port O' Connor, Tx. 77982	T&Norr Sur. A-360 Victoria Co.	R37036	640 acs. und. 98%
Roy Dale Allen 25027 Cedar Creek New Braunfels, Tx.78132-4550	T&Norr Survey A-360 Victoria Co.	R37037	640 acs. und. 2%
15.) County of Victoria County Judges Office 115 N. Bridge Victoria, Tx. 77901 County Commissioner Wayne Dierlam	IRR CO Sur. A222 Victoria Co.	R34707	4.63 acs.
16.) Mary Edith Hafernick 4713 CR 458 Rd. El Campo, Tx. 77437	IRR Co sur. A222 Victoria Co.	R34706 R34704	163.97 acs 319 acs.

I certify that the above ownership listing is accurate based on the records examined . If you should require anything further please let me know.

Sincerely,



William D. Swann
Commercial Real Estate Broker
License # 0312944