

dgr

**Donald G. Rauschuber & Associates, Inc.**

P.O. Box 342707  
Austin, Texas 78734  
Office: (512) 413-9300  
Fax: (800) 823-7572

Water Engineering  
Municipal Engineering

September 25, 2024

Franklin Anciano  
License & Permit Specialist  
Edwards Aquifer Protection Program  
Water Supply Division, MC 159  
P.O. Box 13087  
Austin, Texas 78711-3087

**RE: PARADIS VINEYARD AND WINERY, LLC  
7585 RR 12, SAN MARCOS, TEXAS 78666  
WPAP RECHARGE AND TRANSITION ZONE  
EXCEPTION REQUEST  
HAYS COUNTY, TEXAS**

Dear Mr. Anciano:

Submitted with this Exception Request are the following WPAP Recharge and Transition Zone Exceptions documents:

1. Edwards Aquifer Application Cover Page (Form 20705);
2. General Information Form (TCEQ-0587) With Attached Road Map, USGS/Edwards Recharge Zone Map, Project Description, and Property Deed;
3. Recharge and Transition Zone Exception Request Form (TCEQ-0628);
4. Agent Authorization Form (TCEQ-0599);
5. Application Fee Form (TCEQ-0574);
6. TCEQ Core Data Form.(TCEQ-10400);
7. Geologic Assessment (TCEQ-0585); and
8. Temporary Stormwater Section (TCEQ-0602).

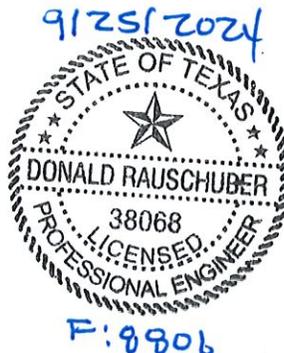
Please note that Paradis Vineyard and Winery, LLC has previously issued Check No. 1930 to the TCEQ in the amount of \$4,000.00. In the event that the TCEQ approves the attached WPAP Exception Request, please refund the balance of \$3,500.00 to Paradis Vineyard and Winery, LLC.

If you need any additional information concerning this Plan Review Application, please do not hesitate to contact me.

Sincerely,



Donald G. Rauschuber, P. E.  
President, DGRA, Inc.  
enclosures



# Texas Commission on Environmental Quality

## Edwards Aquifer Application Cover Page

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### Our Review of Your Application

The Edwards Aquifer Program staff conducts an administrative and technical review of all applications. The turnaround time for administrative review can be up to 30 days as outlined in 30 TAC 213.4(e). Generally administrative completeness is determined during the intake meeting or within a few days of receipt. The turnaround time for technical review of an administratively complete Edwards Aquifer application is 90 days as outlined in 30 TAC 213.4(e). Please know that the review and approval time is directly impacted by the quality and completeness of the initial application that is received. In order to conduct a timely review, it is imperative that the information provided in an Edwards Aquifer application include final plans, be accurate, complete, and in compliance with 30 TAC 213.

### Administrative Review

1. Edwards Aquifer applications must be deemed administratively complete before a technical review can begin. To be considered administratively complete, the application must contain completed forms and attachments, provide the requested information, and meet all the site plan requirements. The submitted application and plan sheets should be final plans. Please submit one full-size set of plan sheets with the original application, and half-size sets with the additional copies.

To ensure that all applicable documents are included in the application, the program has developed tools to guide you and web pages to provide all forms, checklists, and guidance. Please visit the below website for assistance: <http://www.tceq.texas.gov/field/eapp>.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.
3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.
4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

An appointment should be made to resubmit the application. The application is re-examined to ensure all deficiencies are resolved. The application will only be deemed administratively complete when all administrative deficiencies are addressed.

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.
6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

### Technical Review

1. When an application is deemed administratively complete, the technical review period begins. The regional office will distribute copies of the application to the identified affected city, county, and groundwater conservation district whose jurisdiction includes the subject site. These entities and the public have 30 days to provide comments on the application to the regional office. All comments received are reviewed by TCEQ.
2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be

clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **the application fee will be forfeited.**
4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

### Mid-Review Modifications

It is important to have final site plans prior to beginning the permitting process with TCEQ to avoid delays.

Occasionally, circumstances arise where you may have significant design and/or site plan changes after your Edwards Aquifer application has been deemed administratively complete by TCEQ. This is considered a "Mid-Review Modification". Mid-Review Modifications may require redistribution of an application that includes the proposed modifications for public comment.

If you are proposing a Mid-Review Modification, two options are available:

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is denied/withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the affected jurisdictions.

Please contact the regional office if you have questions. If your project is located in Williamson, Travis, or Hays County, contact TCEQ's Austin Regional Office at 512-339-2929. If your project is in Comal, Bexar, Medina, Uvalde, or Kinney County, contact TCEQ's San Antonio Regional Office at 210-490-3096

Please fill out all required fields below and submit with your application.

1. Regulated Entity Name: PARADIS VINEYARD AND WINERY					2. Regulated Entity No.: RN111773073				
3. Customer Name: PARADIS VINEYARD AND WINERY LLC					4. Customer No.: CN606160901				
5. Project Type: (Please circle/check one)	New	Modification			Extension	Exception			
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential			8. Site (acres):			20.5	
9. Application Fee:	\$500.00		10. Permanent BMP(s):			Vegetative Filter Strips and Rock Berns			
11. SCS (Linear Ft.):	N.A.		12. AST/UST (No. Tanks):			No Non-Exempt Tanks			
13. County: Hays	Hays Co.		14. Watershed:			Sink Creek Subbasin, Upper San Marcos River Watershed, Guadalupe River Basin			

# Application Distribution

Instructions: Use the table below to determine the number of applications required. One original and one copy of the application, plus additional copies (as needed) for each affected incorporated city, county, and groundwater conservation district are required. Linear projects or large projects, which cross into multiple jurisdictions, can require additional copies. Refer to the "Texas Groundwater Conservation Districts within the EAPP Boundaries" map found

at: [http://www.tceq.texas.gov/assets/public/compliance/field\\_ops/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

For more detailed boundaries, please contact the conservation district directly.

Austin Region			
County:	Hays	Travis	Williamson
Original (1 req.)	—	—	—
Region (1 req.)	—	—	—
County(ies)	—	—	—
Groundwater Conservation District(s)	<input checked="" type="checkbox"/> Edwards Aquifer Authority <input checked="" type="checkbox"/> Barton Springs/Edwards Aquifer <input checked="" type="checkbox"/> Hays Trinity <input checked="" type="checkbox"/> Plum Creek	Barton Springs/Edwards Aquifer	NA
City(ies) Jurisdiction	<input type="checkbox"/> Austin <input type="checkbox"/> Buda <input type="checkbox"/> Dripping Springs <input type="checkbox"/> Kyle <input type="checkbox"/> Mountain City <input type="checkbox"/> San Marcos <input type="checkbox"/> Wimberley <input type="checkbox"/> Woodcreek	<input type="checkbox"/> Austin <input type="checkbox"/> Bee Cave <input type="checkbox"/> Pflugerville <input type="checkbox"/> Rollingwood <input type="checkbox"/> Round Rock <input type="checkbox"/> Sunset Valley <input type="checkbox"/> West Lake Hills	<input type="checkbox"/> Austin <input type="checkbox"/> Cedar Park <input type="checkbox"/> Florence <input type="checkbox"/> Georgetown <input type="checkbox"/> Jerrell <input type="checkbox"/> Leander <input type="checkbox"/> Liberty Hill <input type="checkbox"/> Pflugerville <input type="checkbox"/> Round Rock

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	—	—	—	—
Region (1 req.)	—	—	—	—	—
County(ies)	—	—	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Trinity-Glen Rose	<input type="checkbox"/> Edwards Aquifer Authority	<input type="checkbox"/> Kinney	<input type="checkbox"/> EAA Medina	<input type="checkbox"/> EAA Uvalde
City(ies) Jurisdiction	<input type="checkbox"/> Castle Hills <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Helotes <input type="checkbox"/> Hill Country Village <input type="checkbox"/> Hollywood Park <input type="checkbox"/> San Antonio (SAWS)	<input type="checkbox"/> Bulverde <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Garden Ridge <input type="checkbox"/> New Braunfels <input type="checkbox"/> Schertz	NA	<input type="checkbox"/> San Antonio ETJ (SAWS)	NA

	Shavano Park				
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I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review.

Alan Paradis, Paradis Vineyard and Winery, LLC

Donald Kauschuber, P.E.  
Print Name of Customer/Authorized Agent

[Signature] P.E. 9/4/2024  
Signature of Customer/Authorized Agent Date

**FOR TCEQ INTERNAL USE ONLY**			
Date(s) Reviewed:		Date Administratively Complete:	
Received From:		Correct Number of Copies:	
Received By:		Distribution Date:	
EAPP File Number:		Complex:	
Admin. Review(s) (No.):		No. AR Rounds:	
Delinquent Fees (Y/N):		Review Time Spent:	
Lat./Long. Verified:		SOS Customer Verification:	
Agent Authorization Complete/Notarized (Y/N):		Fee Check:	Payable to TCEQ (Y/N):
Core Data Form Complete (Y/N):			Signed (Y/N):
Core Data Form Incomplete Nos.:			Less than 90 days old (Y/N):

# General Information Form

Texas Commission on Environmental Quality

For Regulated Activities on the Edwards Aquifer Recharge and Transition Zones and Relating to 30 TAC §213.4(b) & §213.5(b)(2)(A), (B) Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **General Information Form** is hereby submitted for TCEQ review. The application was prepared by:

Print Name of Customer/Agent: Donald Rauschuber, P.E.

Date: September 4, 2024

Signature of Customer/Agent:

A handwritten signature in black ink, appearing to read 'Donald Rauschuber', followed by 'P.E.' written in a smaller, separate script.

## Project Information

1. Regulated Entity Name: Paradis Vineyard and Winery, LLC
2. County: Hays
3. Stream Basin: Guadalupe River Basin, San Marcus River Watershed, Sink Creek Sub-Watershed
4. Groundwater Conservation District (If applicable): Barton Springs Edwards Aquifer Conservation District
5. Edwards Aquifer Zone:
  - Recharge Zone
  - Transition Zone
6. Plan Type:
  - WPAP EXCEPTION REQUEST
  - SCS

- Modification  
 AST

- UST  
 Exception Request

7. Customer (Applicant):

Contact Person: Alan Paradis  
Entity: Ownewr  
Mailing Address: 7585 RR 12  
City, State: San Marcos, Texas  
Telephone: 817/233-6029  
Email Address: alanpardis@gmail.com

Zip: 78666  
FAX: \_\_\_\_\_

8. Agent/Representative (If any):

Contact Person: Donald Rauschuber  
Entity: Engineer  
Mailing Address: P. O. Box 342707  
City, State: Austin, Texas  
Telephone: 512/413-9300  
Email Address: dgrwater@dgrainc.com

Zip: 78734  
FAX: \_\_\_\_\_

9. Project Location:

- The project site is located inside the city limits of N.A.  
 The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of N.A.  
 The project site is not located within any city's limits or ETJ.

10.  The location of the project site is described below. The description provides sufficient detail and clarity so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

Project Site is located on a 20.5-acre tract at 7585 RR 12, San Marcos, Texas

11.  **Attachment A – Road Map.** A road map showing directions to and the location of the project site is attached. The project location and site boundaries are clearly shown on the map. ATTACHED
12.  **Attachment B - USGS / Edwards Recharge Zone Map.** A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000") of the Edwards Recharge Zone is attached. The map(s) clearly show:
- Project site boundaries. ATTACHED
  - USGS Quadrangle Name(s).
  - Boundaries of the Recharge Zone (and Transition Zone, if applicable).
  - Drainage path from the project site to the boundary of the Recharge Zone.
13.  **The TCEQ must be able to inspect the project site or the application will be returned.** Sufficient survey staking is provided on the project to allow TCEQ regional staff to locate

the boundaries and alignment of the regulated activities and the geologic or manmade features noted in the Geologic Assessment.

Survey staking will be completed by this date: \_\_\_\_

14.  **Attachment C – Project Description.** Attached at the end of this form is a detailed narrative description of the proposed project. The project description is consistent throughout the application and contains, at a minimum, the following details:

- Area of the site     ATTACHED
- Offsite areas
- Impervious cover
- Permanent BMP(s)
- Proposed site use
- Site history
- Previous development
- Area(s) to be demolished

15. Existing project site conditions are noted below:

- Existing commercial site
- Existing industrial site
- Existing residential site
- Existing paved and/or unpaved roads
- Undeveloped (Cleared)
- Undeveloped (Undisturbed/Uncleared)
- Other: Grape Vineyard

### ***Prohibited Activities***

16.  I am aware that the following activities are prohibited on the Recharge Zone and are not proposed for this project:

- (1) Waste disposal wells regulated under 30 TAC Chapter 331 of this title (relating to Underground Injection Control);
- (2) New feedlot/concentrated animal feeding operations, as defined in 30 TAC §213.3;
- (3) Land disposal of Class I wastes, as defined in 30 TAC §335.1;
- (4) The use of sewage holding tanks as parts of organized collection systems; and
- (5) New municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41(b), (c), and (d) of this title (relating to Types of Municipal Solid Waste Facilities).
- (6) New municipal and industrial wastewater discharges into or adjacent to water in the state that would create additional pollutant loading.

17.  I am aware that the following activities are prohibited on the Transition Zone and are not proposed for this project:

- (1) Waste disposal wells regulated under 30 TAC Chapter 331 (relating to Underground Injection Control);
- (2) Land disposal of Class I wastes, as defined in 30 TAC §335.1; and
- (3) New municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41 (b), (c), and (d) of this title.

***Administrative Information***

18. The fee for the plan(s) is based on:

- For a Water Pollution Abatement Plan or Modification, the total acreage of the site where regulated activities will occur.
- For an Organized Sewage Collection System Plan or Modification, the total linear footage of all collection system lines.
- For a UST Facility Plan or Modification or an AST Facility Plan or Modification, the total number of tanks or piping systems.
- A request for an exception to any substantive portion of the regulations related to the protection of water quality.
- A request for an extension to a previously approved plan.

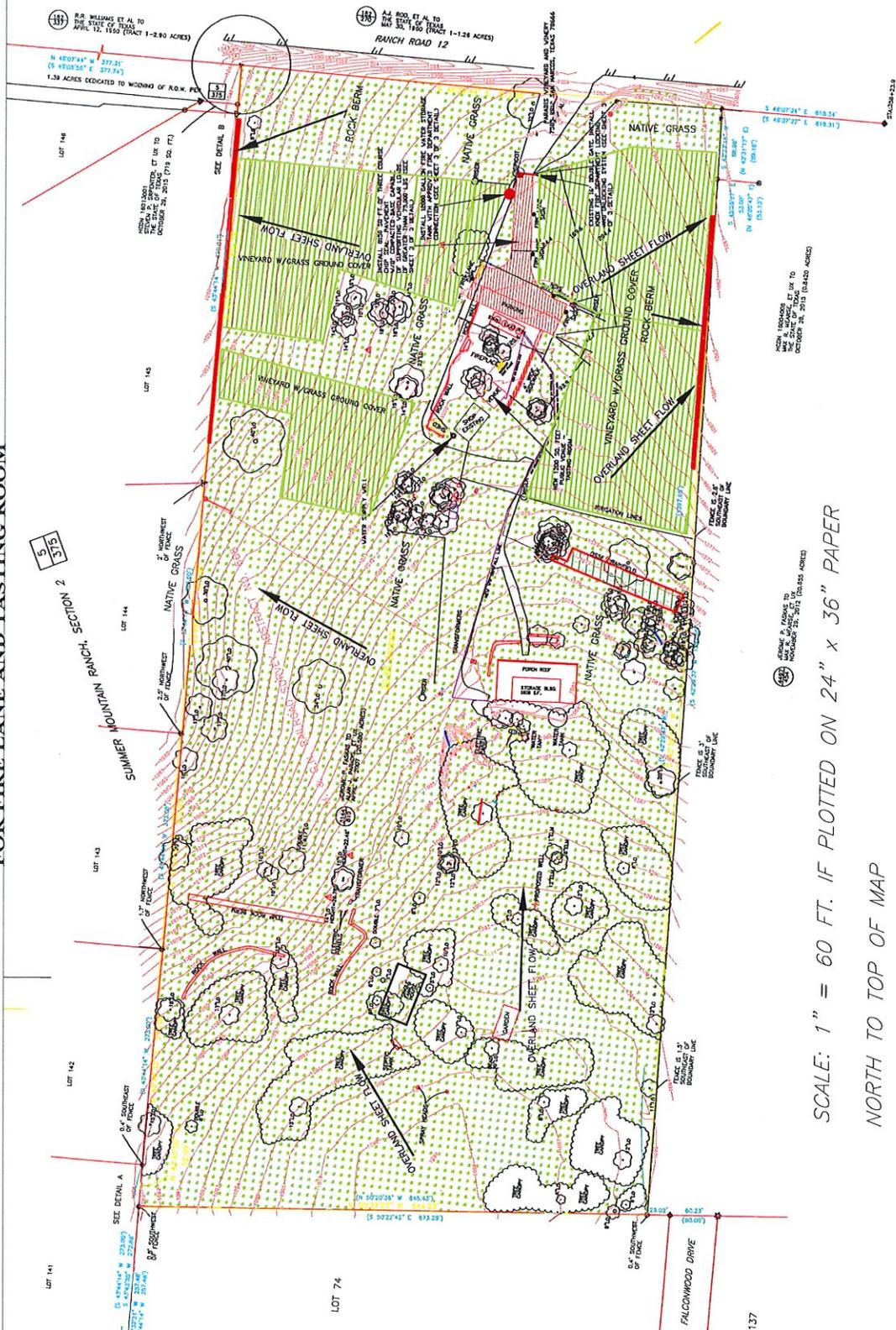
19.  Application fees are due and payable at the time the application is filed. If the correct fee is not submitted, the TCEQ is not required to consider the application until the correct fee is submitted. Both the fee and the Edwards Aquifer Fee Form have been sent to the Commission's:

- TCEQ cashier
  - Austin Regional Office (for projects in Hays, Travis, and Williamson Counties)
  - San Antonio Regional Office (for projects in Bexar, Comal, Kinney, Medina, and Uvalde Counties)
- PARADIS VINEYARD AND WINERY HAS PAID  
(CHECK NO. 1930) TO THE FOR WPAP  
TCEQ \$4,000 FOR WPAP REVIEW FEES.

20.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

21.  No person shall commence any regulated activity until the Edwards Aquifer Protection Plan(s) for the activity has been filed with and approved by the Executive Director.

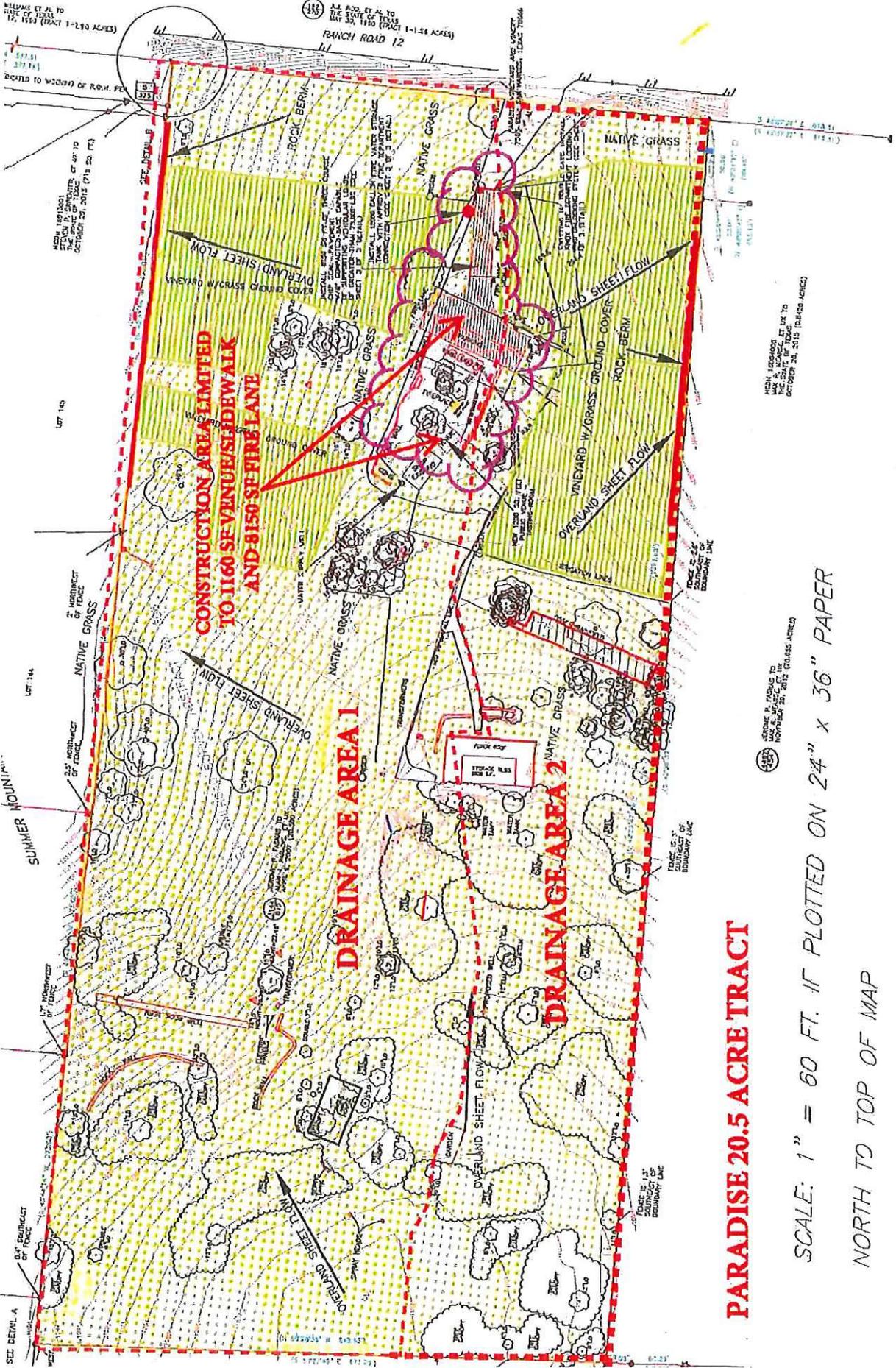
PARADIS VINEYARD AND WINERY LLC SITE PLAN  
FOR FIRE LANE AND TASTING ROOM



SCALE: 1" = 60 FT. IF PLOTTED ON 24" x 36" PAPER  
NORTH TO TOP OF MAP

DATE: 10/20/2015  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]

DATE: 10/20/2015  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]



**PARADISE 20.5 ACRE TRACT**

SCALE: 1" = 60 FT. IF PLOTTED ON 24" x 36" PAPER  
 NORTH TO TOP OF MAP

SHOW A SECTION  
 MADE BY THE STATE OF TEXAS  
 OCTOBER 28, 2015 (TRACTS 145)

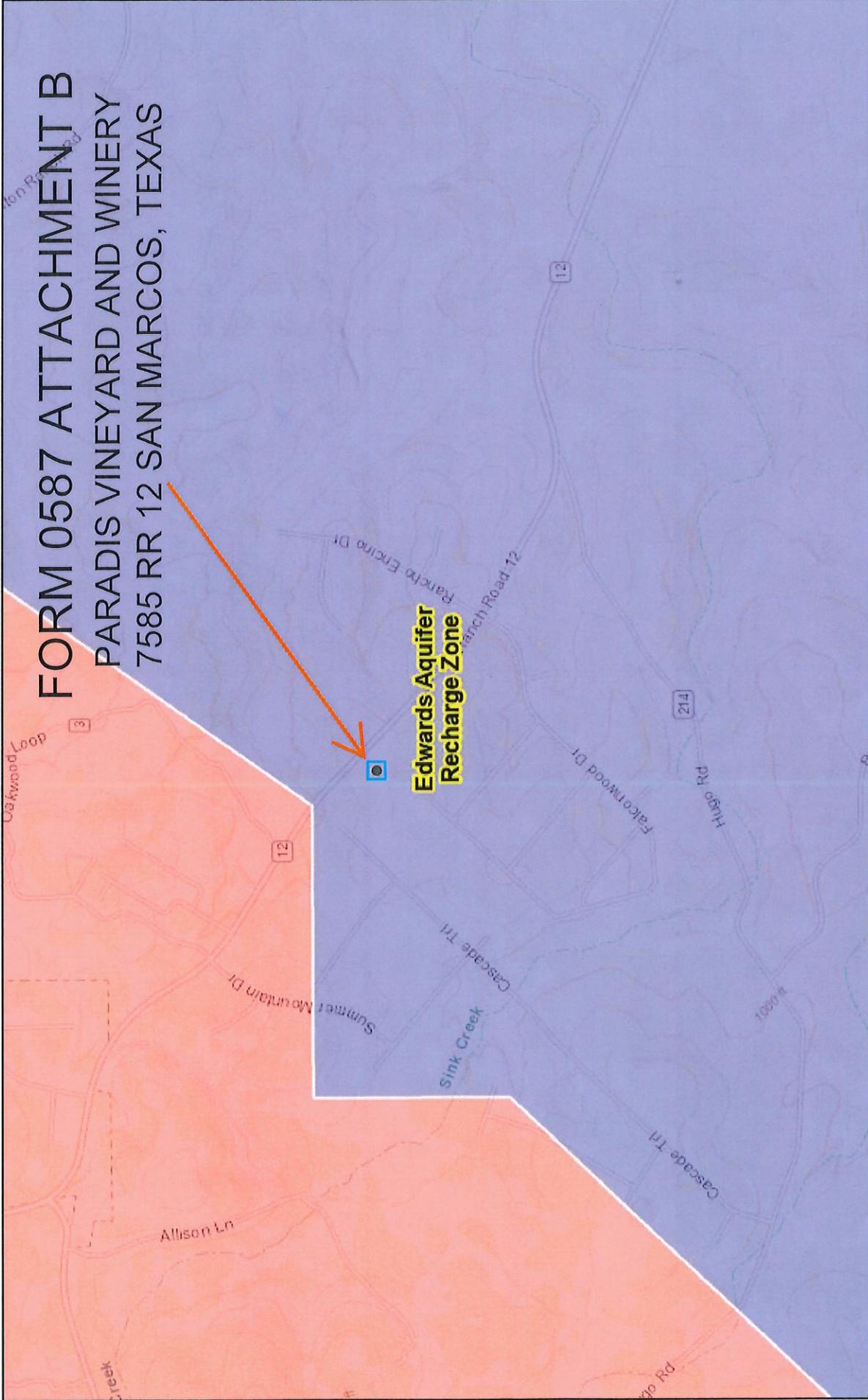
SHOW A SECTION  
 MADE BY THE STATE OF TEXAS  
 OCTOBER 28, 2015 (TRACTS 144)

WARRANTY TO STATE OF TEXAS  
 15, 1959 (TRACT 1-1.10 ACRES)

WARRANTY TO STATE OF TEXAS  
 15, 1959 (TRACT 1-1.14 ACRES)



**FORM 0587 ATTACHMENT B**  
**PARADIS VINEYARD AND WINERY**  
**7585 RR 12 SAN MARCOS, TEXAS**



7/5/2024, 8:31:59 AM

Edwards Aquifer Label	<input type="checkbox"/>	Comal Trinity GCD	<input type="checkbox"/>	TX Counties
Groundwater Conservation Districts	<input type="checkbox"/>	Edwards Aquifer Authority	<input type="checkbox"/>	7.5 Minute Quad Grid
Barton Springs/Edwards Aquifer CD	<input type="checkbox"/>	Hays Trinity GCD	<input type="checkbox"/>	TCEQ_EDWARDS_OFFICIAL_MAPS

1:36,112  
0 0.28 0.55 1.1 mi  
0 0.42 0.85 1.7 km

City of Austin, Comal County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA, TCEQ

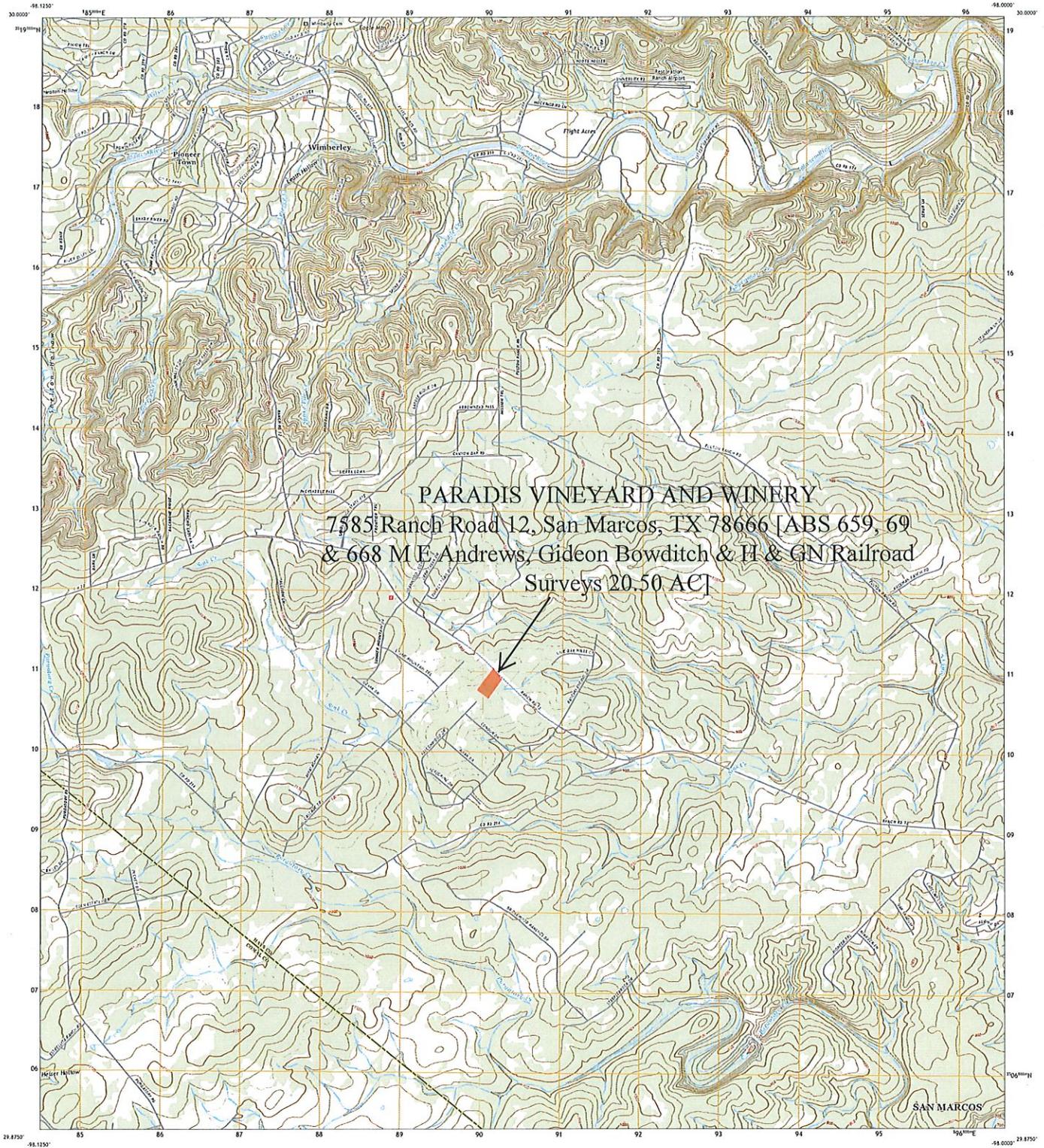
# FORM 0587 ATTACHMENT B



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

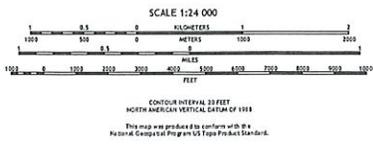
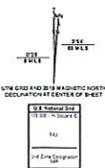


WIMBERLEY QUADRANGLE  
TEXAS  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
1:500 contour interval from the National Wetlands Inventory  
This map is not a legal document. Boundaries may be  
generalized for this map scale. Private land with government  
reclamation may not be shown. Obtain permission before  
using a private land.

Imagery: NAD, September 2018; November 2018  
Photo: U.S. Census Bureau, 2018 - 2019  
Hydrography: National Hydrography Dataset, 1999 - 2010  
Contours: National Wetlands Inventory, 2008 - 2018  
Boundaries: Multiple sources; see metadata file  
Metadata: FWS National Wetlands Inventory Not Available



1	2	3	1. Pflugerville
4	5	2. Georgetown	
6	7	3. Round Rock	
8	8	4. San Marcos	
		5. San Marcos North	
		6. San Marcos East	
		7. San Marcos South	
		8. Wimberley	

**ROAD CLASSIFICATION**

Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	AVP
Interstate Route	State Route

WIMBERLEY, TX  
2022



**FORM 0587 - PROJECT DESCRIPTION**

**EXCEPTION REQUEST**

**PROJECT NAME:** Paradis Vineyard and Winery, LLC

**PROJECT ADDRESS:** 7585 Ranch Road 12, San Marcos Texas 78666-2429

**APPLICANT:**

**Alan Paradis, Owner**  
**Paradis Vineyard and Winery, LLC**  
**7585 Ranch Road 12**  
**San Marcos Texas 78666-2429**  
**[alanjparadis@gmail.com](mailto:alanjparadis@gmail.com)**  
**817/233-6029**

**Project Engineer:**  
**Donald G. Rauschuber and Associates, Inc.**  
**Don Rauschuber, P.E.**  
**P.O. Box 342707**  
**Austin, Texas 78734**  
**[dgrwater@dgrainc.com](mailto:dgrwater@dgrainc.com)**  
**512/413-9300**

**Nature of Request:**

Paradis Vineyard and Winery, LLC, (“Paradis”) owns and operates an approximate 4-acre vineyard located on a 20.5-acre tract of land (*see Figure 1*) having a physical address of 7585 RR 12, San Marcus, Texas. This property is located over the Edwards Aquifer Recharge Zone.

Current improvements on the property include one (1) single family house and one (1) small winery building that collectively account for less than 1-percent impervious cover on the tract.

Commencing in 2024, Paradis is proposing to construct a small public tasting room and a required Hays County Fire Marshall fire lane to access the proposed public tasting room (*see attached drawing*) in the event of a fire. As shown in *Table 1*, the amount of new impervious cover added to the property will only 1.1-percent of the total property area.

Given the foregoing, Mr. Paradis is requesting an exemption to the Water Quality Provisions set forth in TAC Title 30 Part 1 Chapter 213 Subchapter A and B for the following reasons:

- Paradis construction activities only involve minor soil disturbance and stabilization due to the construction of one small tasting room, one sidewalk, and one required fire lane;



## WARRANTY DEED

STATE OF TEXAS       §  
                                  §  
COUNTY OF HAYS     §

**Effective Date:**           December 31, 2021

**Grantor:**                   Paradis Vineyard and Winery, LLC, a Texas limited liability company (formerly known as Paradise Winery, LLC)

**Grantor's Mailing Address (Including County):**  
c/o Alan J. Paradis, Member Manager  
7585 Ranch Road 12  
San Marcos, Texas 78666

**Grantee:**                   Alan J. Paradis, an individual

**Grantee's Mailing Address (Including County):**  
7585 Ranch Road 12  
San Marcos, Texas 78666

**Consideration:**           For TEN DOLLARS \$10.00 and other good and valuable consideration, the sufficiency of which is hereby acknowledged

**Property (Including Any Improvements):** Being 20.500 acres of land, more or less, located in the H. & G.N Railroad Co. Survey No. 1, Hays County, Texas, being part of that 97.468 acre tract conveyed to Jerome P. Faskas, as recorded in Volume 1368, Page 399, Hays County Deed Records, said 20.500 acre tract being more particularly described in that certain Release of Lien, dated December 14, 2009, recorded in document number 90033139, Volume 3796, Page 716 in the Official Public Records of Hays County, Texas.

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the Property, with the hereditaments and appurtenances.

**Reservations From Conveyance:** None

**Exceptions To Conveyance And Warranty:** This conveyance is expressly made subject to the following matters ("Exceptions"), but only to the extent the same are valid and enforceable and affect the Property:

1. Rights of adjoining land owners in any walls and fences situated on a common boundary;
2. Any discrepancies, conflicts or shortages in area or boundary lines, or any encroachments or overlapping improvements;

3. Taxes and assessments by any taxing authority having jurisdiction over the Property for the current year, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes;
4. The rights of Hays County, Texas, any governmental agencies having jurisdiction over the Property, and the general public, in and to any part of the Property that is situated in or on a public street, alley or roadway.
5. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments that affect the Property.
6. Any unrecorded interests that affects the Property.

The Exception listed above are solely for the purpose of qualifying the estate conveyed herein and Grantor's warranty of title, and no reference or recital herein shall create, enlarge, extend, ratify, confirm or be the basis for any right, title, estate, claim or demand in favor of any party other than Grantor and Grantee, and their respective heirs, legal representatives, successors and assigns.

**Conveyance:** Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

Executed to be effective as of the Effective Date.

[Signature Page Follows.]

**GRANTOR:**

By: PARADIS VINEYARD AND WINERY,  
LLC, a Texas limited liability company  
(formerly known as Paradise Winery, LLC)

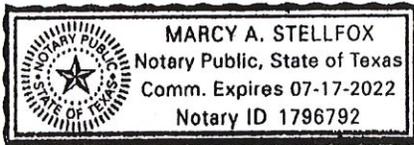
*Alan Paradis*

Alan J. Paradis, its Managing Member

STATE OF TEXAS            )  
  )  
COUNTY OF HAYS        )

ACKNOWLEDGEMENT

This instrument was acknowledged before me on the 30 day of December, 2021 by Alan J. Paradis, the Managing Member of Paradis Vineyard and Winery, LLC, a Texas limited liability corporation, on behalf of said corporation.



*Marcy A. Stellfox*

Notary Public, State of Texas

My commission expires: 7/17/2022

AFTER RECORDING RETURN TO:

Robert J. Levinski  
Braun & Gresham, PLLC  
PO Box 1148  
Dripping Springs, TX 78620

**THE STATE OF TEXAS  
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

21071583 DEED  
12/30/2021 01:43:27 PM Total Fees: \$38.00

Elaine H. Cárdenas, MBA, PhD, County Clerk  
Hays County, Texas

*Elaine H. Cárdenas*



## WARRANTY DEED

STATE OF TEXAS           §  
  §  
COUNTY OF HAYS       §

**Effective Date:**           July 1, 2016

**Grantor:**                   Alan J. Paradis, as to his sole and separate property

**Grantor's Mailing Address (Including County):**  
5301 Colleyville Blvd., Suite 110  
Colleyville, Texas 76034  
Tarrant County, Texas

**Grantee:**                   Paradise Winery, LLC, a Texas limited liability company

**Grantee's Mailing Address (Including County):**  
c/o Alan J. Paradis, Member Manager  
5301 Colleyville Blvd., Suite 110  
Colleyville, Texas 76034  
Tarrant County, Texas

**Consideration:**           For the purpose of contributing Property to Grantee and capitalizing business entity

**Property (Including Any Improvements):** Being 20.500 acres of land, more or less, located in the H. & G.N Railroad Co. Survey No. 1, Hays County, Texas, being part of that 97.468 acre tract conveyed to Jerome P. Faskas, as recorded in Volume 1368, Page 399, Hays County Deed Records, said 20.500 acre tract being more particularly described in that certain Release of Lien, dated December 14, 2009, recorded in document number 90033139, Volume 3796, Page 716 in the Official Public Records of Hays County, Texas.

TOGETHER WITH all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in, and to the Property, ~~with~~ the hereditaments and appurtenances.

**Reservations From Conveyance:** None

**Exceptions To Conveyance And Warranty:** This conveyance is expressly made subject to the following matters ("Exceptions"), but only to the extent the same are valid and enforceable and affect the Property:

1. Rights of adjoining land owners in any walls and fences situated on a common boundary;

2. Any discrepancies, conflicts or shortages in area or boundary lines, or any encroachments or overlapping improvements;
3. Taxes and assessments by any taxing authority having jurisdiction over the Property for the current year, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes;
4. The rights of Hays County, Texas, any governmental agencies having jurisdiction over the Property, and the general public, in and to any part of the Property that is situated in or on a public street, alley or roadway.
5. All recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments that affect the Property.
6. Any unrecorded interests that affects the Property.

The Exception listed above are solely for the purpose of qualifying the estate conveyed herein and Grantor's warranty of title, and no reference or recital herein shall create, enlarge, extend, ratify, confirm or be the basis for any right, title, estate, claim or demand in favor of any party other than Grantor and Grantee, and their respective heirs, legal representatives, successors and assigns.

**Conveyance:** Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

Executed as of the date acknowledged.

By: *Alan J. Paradis*  
 Alan J. Paradis, Grantor

STATE OF TEXAS            )  
   )  
 COUNTY OF TARRANT    )

ACKNOWLEDGEMENT

Before, me, a Notary Public, in and for said county and state, on August 2, 2016, personally appeared Alan J. Paradis, who is known to me to be the person whose name is subscribed to the foregoing instrument in his individual capacity, and acknowledge to me that he executed the same for the purposes and consideration therein expressed. Witness my hand and seal of office.



*Elizabeth A. Wells*  
 Notary Public, State of Texas

My commission expires: 11-18-17

AFTER RECORDING RETURN TO:

Margaret M. Menicucci  
Braun & Gresham, PLLC  
PO Box 1148  
Dripping Springs, TX 78620

Warranty Deed

Page 3



ITC 1/12/07  
28.00④  
0704403-WIM

Bk Vol Pg  
70010434 OFR 3144 819

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

**Date:** April 6, 2007

**Grantor:** JEROME P. FASKAS, a married person, not joined herein by my spouse for the reason the hereinafter described property forms no part of our homestead and is my sole and separate property and estate.

**Grantor's Mailing Address (including county):**

P.O. Box 5203  
Victoria, TX 77903  
Victoria County

**Grantee:** ALAN J. PARADIS and BARBARA J. PARADIS

**Grantee's Mailing Address (including County):**

4501 Shadycreek Lane  
Colleyville, TX 76034-4731  
Tarrant County

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration and the further consideration of a note of even date, that is in the principal amount of TWO HUNDRED NINETY FIVE THOUSAND AND NO/100 Dollars (\$295,000.00) executed by Grantee, payable to the order of Grantor. It is secured by a vendor's lien retained in this deed and by a deed of trust of even date, from Grantee to Joseph J. Malone, Trustee.

**Property (including any improvements):**

BEING 20.500 acres of land, more or less, located in the H. & G.N. Railroad Co. Survey No. 1, Hays County, Texas, being part of that 97.468 acre tract conveyed to Jerome P. Faskas, as recorded in Volume 1368, Page 399, Hays County Deed Records, said 20.500 acre tract being more particularly described by metes and bounds in Exhibit "A" attached hereto.

**Reservations From and Exceptions to Conveyance and Warranty:**

This conveyance is made subject to any and all oil, gas and mineral reservations previously reserved and of record in the Official Public Records of Hays County, Texas,

affecting the above described property. In addition, Grantor (a) reserves unto itself, its successors and assigns, one-half (1/2) of all of the oil, gas, coal, lignite, and other minerals, and royalty on said minerals, which are vested in Grantor, in and under and that may be produced from, the Property; and (b) expressly conveys to Grantee and its successors and assigns one-half (1/2) of all of the oil, gas, coal, lignite, and other minerals, and royalty on said minerals, which are vested in Grantor, in and under and that may be produced from, the Property; provided, however, that all rights to execute and deliver old, gas and mineral leases, farm out agreements and other agreements concerning such minerals are expressly granted and conveyed to grantee, and Grantee herein shall have the sole and exclusive right to negotiate for and execute mineral leases covering Grantor's retained mineral and royalty interest in the Property. Grantors retain the right to receive the proceeds attributable to their retained interest from any lease bonus, delay rentals, shut-in gas royalty payments and royalties when and if Grantee leases the Property for mineral exploration and/or development.

This conveyance is further made and accepted subject to the following restrictions:

1. No mobile homes.
2. No bars serving hard liquor
3. No pig farms
4. No noxious activities
5. No businesses related to pornography or junk yards
6. Hunting is allowed only with a shotgun or bow and arrow
7. Wine tasting rooms and/or sale of wine are expressly allowed
8. Recreational vehicles are allowed

This conveyance is further made and accepted subject to any and all restrictions, covenants, reservations, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

The vendor's lien against and superior title to the property are retained until each note described herein is fully paid according to its terms, at which time this deed shall become absolute.

AS A MATERIAL PART OF THE CONSIDERATION FOR THIS AGREEMENT, GRANTOR AND GRANTEE AGREES THAT GRANTEE IS TAKING THE PROPERTY "AS IS" WITH ANY AND ALL LATENT AND PATENT DEFECTS AND THAT THERE IS NO WARRANTY BY GRANTOR THAT THE PROPERTY IS FIT FOR A PARTICULAR PURPOSE. GRANTEE ACKNOWLEDGES THAT THEY ARE NOT RELYING UPON ANY REPRESENTATION, STATEMENT OR OTHER ASSERTION WITH RESPECT TO THE PROPERTY CONDITION, BUT ARE RELYING UPON THEIR EXAMINATION OF THE PROPERTY, GRANTEE TAKES THE PROPERTY UNDER THE EXPRESS UNDERSTANDING THERE ARE NO EXPRESSED OR IMPLIED WARRANTIES (EXCEPT FOR LIMITED WARRANTIES OF TITLE SET FORTH IN CLOSING STATEMENTS) GRANTEE HEREBY RELEASES AND INDEMNIFIES GRANTOR FROM ANY AND ALL DAMAGES CONCERNING THE SALE OF THIS PROPERTY. THIS IS A FULL RELEASE AND INCLUDES BUT IS NOT LIMITED TO ENVIRONMENTAL ISSUES, BUILDING AND BUILDING COMPONENTS, ENDANGERED SPECIES, ASBESTOS, LEAD PAINT, SEPTIC OR WELL ISSUES, WETLANDS, DRAINAGE ETC. PROVISIONS OF THIS SECTION SHALL SURVIVE THE CLOSING.

When the context requires, singular nouns and pronouns include the plural.

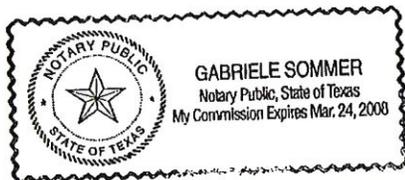
  
JEROME P. FASKAS

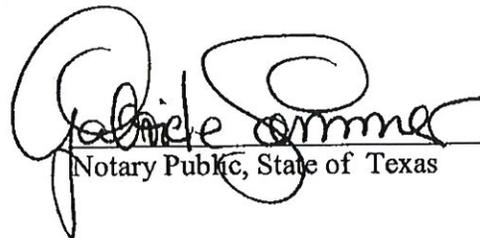
**ACKNOWLEDGMENT**

STATE OF TEXAS §

COUNTY OF HAYS §

This instrument was acknowledged before me on April 10, 2007, by Jerome P. Faskas.

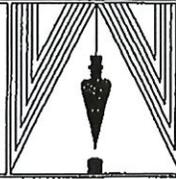


  
Notary Public, State of Texas



# WATSON SURVEYING

9501 CAPITAL OF TEXAS HWY.  
SUITE 303 AUSTIN, TX 78759  
346-8566 FAX 346-8568



Bk Vol Pg  
70010434 DFR 3144 022

FIELD NOTES FOR 20.500 ACRES OF LAND LOCATED IN THE H. & G.N. RAILROAD SURVEY NO. 1 IN HAYS COUNTY, TEXAS, BEING PART OF THAT 97.468 ACRE TRACT CONVEYED TO JEROME P. FASKAS, AS RECORDED IN VOLUME 1368, PAGE 399, HAYS COUNTY DEED RECORDS, SAID 20.500 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a steel pin found 1 foot northwest of a fence in the southeast line of Summer Mountain Ranch Section 2, a subdivision recorded in Book 5, Page 375, a subdivision recorded in Book 5, Page 375, Hays County Plat Records, at the north corner of Lot 74, Falconwood, a subdivision recorded in Book 8, Page 140, Hays County Plat Records, at the west corner of said 97.468 acres, for the west corner hereof;

THENCE N43°44'14"E 1444.70 feet along said southeast line and generally along a fence to the base of a leaning steel pipe fence corner post at the north or northwest corner of said 97.468 acres, also a point in the southwest right-of-way line of Ranch Road 12, for the north corner hereof;

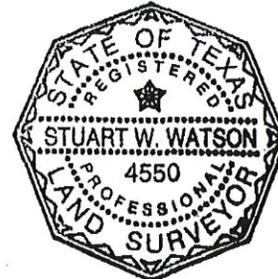
THENCE S46°7'27"E 613.01 feet generally following a fence along said right-of-way and the northeast line of said 97.468 acres to a 1/2" steel pin with orange cap set for east corner hereof;

THENCE S42°29'37"W 1397.65 feet crossing said 97.468 acres to a 1/2" steel pin with orange cap set in the northeast line of said Lot 74, for the south corner hereof;

THENCE N50°20'36"W 645.43 feet along said northeast line of Lot 74 to the POINT OF BEGINNING, containing 20.500 acres of land.

Bearing Basis: Southeast line of subdivision "Summer Mountain Ranch" Sec. 2

Surveyed 2 April 2007 by: Stuart Watson  
Stuart Watson, RPLS 4550



## EXHIBIT "A"

Filed for Record in:  
Hays County  
On: Apr 12, 2007 at 02:51P  
Document Number: 70010434  
Amount: 28.00  
Receipt Number - 168738  
By:  
Lynn Curry, Deputy  
Linda C. Fritscher, County Clerk  
Hays County

97-0231  
SWT  
LS

**SPECIAL WARRANTY DEED**

STATE OF TEXAS

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HAYS

That **Rex G. Baker, III, Trustee** (herein referred to as "Grantor"), of the County of Hays and State of Texas for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by **Jerome P. Faskas** (hereinafter referred to as "Grantee"), of the State of Texas and County of Hays, whose mailing address is **P.O. Box 90746, Austin, Texas 78709**, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, all of the following described real property in Hays County, Texas (the "Property") to-wit:

**TRACT I: 97.468 acres of land, more or less, out of the H. & G.N. RAILROAD SURVEY NO. 1, in Hays County, Texas, more particularly described by metes and bounds in Exhibit "A" attached hereto.**

**TRACT II: 7.534 acres of land, more or less, out of the MARTHA E. ANDREWS SURVEY, the DAVID WILSON SURVEY, in Hays County, Texas, more particularly described by metes and bounds in Exhibit "B" attached hereto.**

**TRACT III: Lots 13, 14, 15 and 16, HILL COUNTRY ESTATES, SEC. 2, a subdivision in Hays County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 121, Plat Records of Hays County, Texas.**

This conveyance is made subject to all and singular the restrictions, easements, conditions, reservations, exceptions and covenants, if any, applicable to and enforceable against the Property as shown by the records of Hays County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, Grantee's successors and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's successors and/or assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto Grantee, Grantee's successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

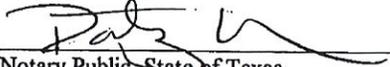
EXECUTED on the 19 day of Dec., 1997 to be effective the 19 day of Dec., 1997.

  
Rex G. Baker, III, Trustee

STATE OF TEXAS     §  
                             §  
COUNTY OF HAYS   §

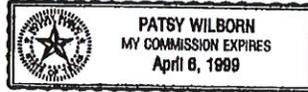
1368 100

This instrument was acknowledged before me this 19 day of Dec, 1997 by **Rex G. Baker, III, Trustee.**

  
Notary Public, State of Texas

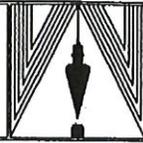
AFTER RECORDING, RETURN TO:

SOUTHWESTERN TITLE COMPANY  
P.O. BOX 1110  
DRIPPING SPRINGS, TEXAS 78620





**WATSON SURVEYING**  
9501 CAPITAL OF TEXAS HWY.  
SUITE 303 AUSTIN, TX 78759  
346-8566 FAX 346-8568



1368 401

December 15, 1997

Bearing Basis: Southeast line of subdivision "Summer Mountain Ranch" Sec. 1 & 2

FIELD NOTES FOR 97.468 ACRES OF LAND LOCATED IN THE H. & G.N. RAILROAD SURVEY NO. 1 AND THE MARTHA E. ANDREWS SURVEY IN HAYS COUNTY, TEXAS, BEING PART OF THAT 1050.13 ACRE TRACT CONVEYED TO HILL COUNTRY ESTATES, INC., AS RECORDED IN VOLUME 850, PAGE 860 HAYS COUNTY DEED RECORDS, SAID 97.468 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the base of a steel pipe fence corner post at the north corner of said 1050.13 acres, also a point in the southwest right-of-way line of Ranch Road 12, for the north corner hereof;

THENCE along said right-of-way and the northeast line of said 1050.13 acres the following 5 courses:

- 1) S46°7'27"E 1231.32 feet to a concrete monument found for angle point;
- 2) S46°59'55"E 1220.35 feet to a concrete monument found at point of curve;
- 3) along a curve to the left with chord of S49°22'38"E 490.06 feet and radius of 5780.00 feet, to a concrete monument found at end of curve;
- 4) S49°43'57"E 263.30 feet to a point for angle point hereof;
- 5) S58°25'21"E 200.48 feet to a steel pin set for the northeast corner hereof;

THENCE S62°37'10"W 1407.92 feet to a steel pin set for the southeast corner hereof;

THENCE N50°20'36"W 2951.55 feet to a steel pin set in a fence in the southeast line of Summer Mountain Ranch Section 2, for the southwest corner hereof;

THENCE N43°44'14"E 1444.70 feet along said southeast line and generally along a fence to the POINT OF BEGINNING, containing 97.468 acres of land.

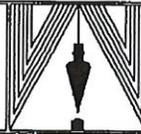
Surveyed December 15, 1997 by:

  
Stuart Watson, RPLS 4550



EXHIBIT "A"


**WATSON SURVEYING**

 9501 CAPITAL OF TEXAS HWY.  
 SUITE 303 AUSTIN, TX 78759  
 346-8566 FAX 346-8568


December 15, 1997

1268 402

Bearing Basis: Southeast line of subdivision "Summer Mountain Ranch" Sec. 1 &amp; 2

FIELD NOTES FOR 7.534 ACRES OF LAND LOCATED IN THE H. &amp; G.N. RAILROAD SURVEY NO. 1, THE MARTHA E. ANDREWS SURVEY, AND THE DAVID WILSON SURVEY IN HAYS COUNTY, TEXAS, BEING PART OF THAT 1050.13 ACRE TRACT CONVEYED TO HILL COUNTRY ESTATES, INC., AS RECORDED IN VOLUME 850, PAGE 860 HAYS COUNTY DEED RECORDS, SAID 7.534 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a steel pin set in the northeast line of said 1050.13 acres, also the southwest right-of-way line of Ranch Road 12, said pin bearing the following calls along said right-of-way from a steel pin found at the northwest corner of Lot 22, Hill Country Estates Section 2: N53°14'15"W 308.85 feet, N60°16'20"W 1229.65 feet;

THENCE S31°24'14"W 1265.07 feet to a steel pin found at the north corner of Lot 18, Hill Country Estates Section 2, a subdivision recorded in Volume 5, Page 121, Hays County Plat Records, for angle point hereof;

THENCE S43°52'38"W 208.08 feet along the west line of said Lot 18 to a steel pin found at its west corner, for the south corner hereof;

THENCE N50°20'36"W 527.48 feet to a steel pin set for the west corner hereof;

THENCE N62°37'10"E 931.02 feet to a steel pin set for angle point hereof;

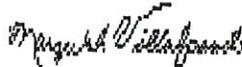
THENCE N31°24'14"E 593.83 feet to a steel pin set in said right-of-way of Ranch Road 12 for the north corner hereof;

THENCE S60°16'20"E 84.49 feet along said right-of-way to the POINT OF BEGINNING, containing 7.534 acres.

Surveyed December 15, 1997 by:

  
 Stuart Watson, RPLS 4550

 FILED AND RECORDED  
 OFFICIAL PUBLIC RECORDS



 12-22-97 04:14 PM 9721419  
 KLEEN \$15.00  
 MARGIE T VILLOFRANCA, County Clerk  
 HAYS COUNTY, TEXAS  
 EXHIBIT B

# Recharge and Transition Zone Exception Request Form

Texas Commission on Environmental Quality  
30 TAC §213.9 Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This Recharge and Transition Zone Exception Request Form is hereby submitted for TCEQ review and executive director approval. The request was prepared by:

Print Name of Customer/Agent: Donald G. Rauschuber, P.E.

Date: July 5, 2024

Signature of Customer/Agent:



Regulated Entity Name: Paradis Vineyard and Winery, LLC

## Exception Request

1.  **Attachment A - Nature of Exception.** A narrative description of the nature of each exception requested is attached. All provisions of 30 TAC §213 Subchapter A for which an exception is being requested have been identified in the description.
2.  **Attachment B - Documentation of Equivalent Water Quality Protection.** Documentation demonstrating equivalent water quality protection for the Edwards Aquifer is attached.

## Administrative Information

3.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
4.  The applicant understands that no exception will be granted for a prohibited activity in Chapter 213.
5.  The applicant understands that prior approval under this section must be obtained from the executive director for the exception to be authorized.

**ATTACHMENT A TO DOCUMENTATION OF EQUIVALENT WATER  
QUALITY PROTECTION**

**PROJECT DESCRIPTION**

**EXCEPTION REQUEST**

**PROJECT NAME: Paradis Vineyard and Winery, LLC**

**PROJECT ADDRESS: 7585 Ranch Road 12, San Marcos Texas 78666-2429**

**APPLICANT:**

**Alan Paradis, Owner  
Paradis Vineyard and Winery, LLC  
7585 Ranch Road 12  
San Marcos Texas 78666-2429  
[alanjparadis@gmail.com](mailto:alanjparadis@gmail.com)  
817/233-6029**

**Project Engineer:  
Donald G. Rauschuber and Associates, Inc.  
Don Rauschuber, P.E.  
P.O. Box 342707  
Austin, Texas 78734  
[dgrwater@dgrainc.com](mailto:dgrwater@dgrainc.com)  
512/413-9300**

**Nature of Request:**

Paradis Vineyard and Winery, LLC, ("Paradis") owns and operates an approximate 4-acre vineyard located on a 20.5-acre tract of land (*see Figure 1*) having a physical address of 7585 RR 12, San Marcus, Texas. This property is located over the Edwards Aquifer Recharge Zone.

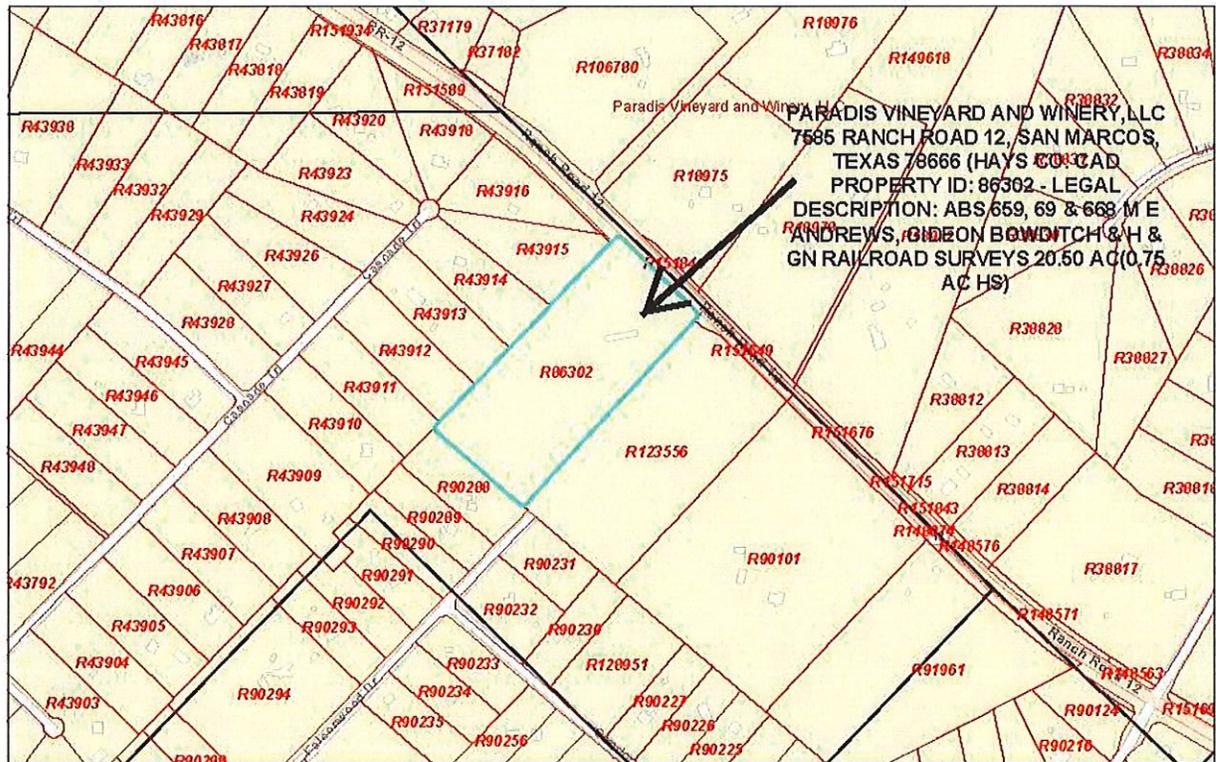
Current improvements on the property include one (1) single family house and one (1) small winery building that collectively account for less than 1-percent impervious cover on the tract. Commencing in 2024, Paradis is proposing to construct a small public tasting room and a required Hays County Fire Marshall fire lane to access the proposed public tasting room (*see attached drawing*) in the event of a fire. As shown in Table 1 and in the Attached figure, the amount of new impervious cover added to the property will only 1.1-percent of the total property area.

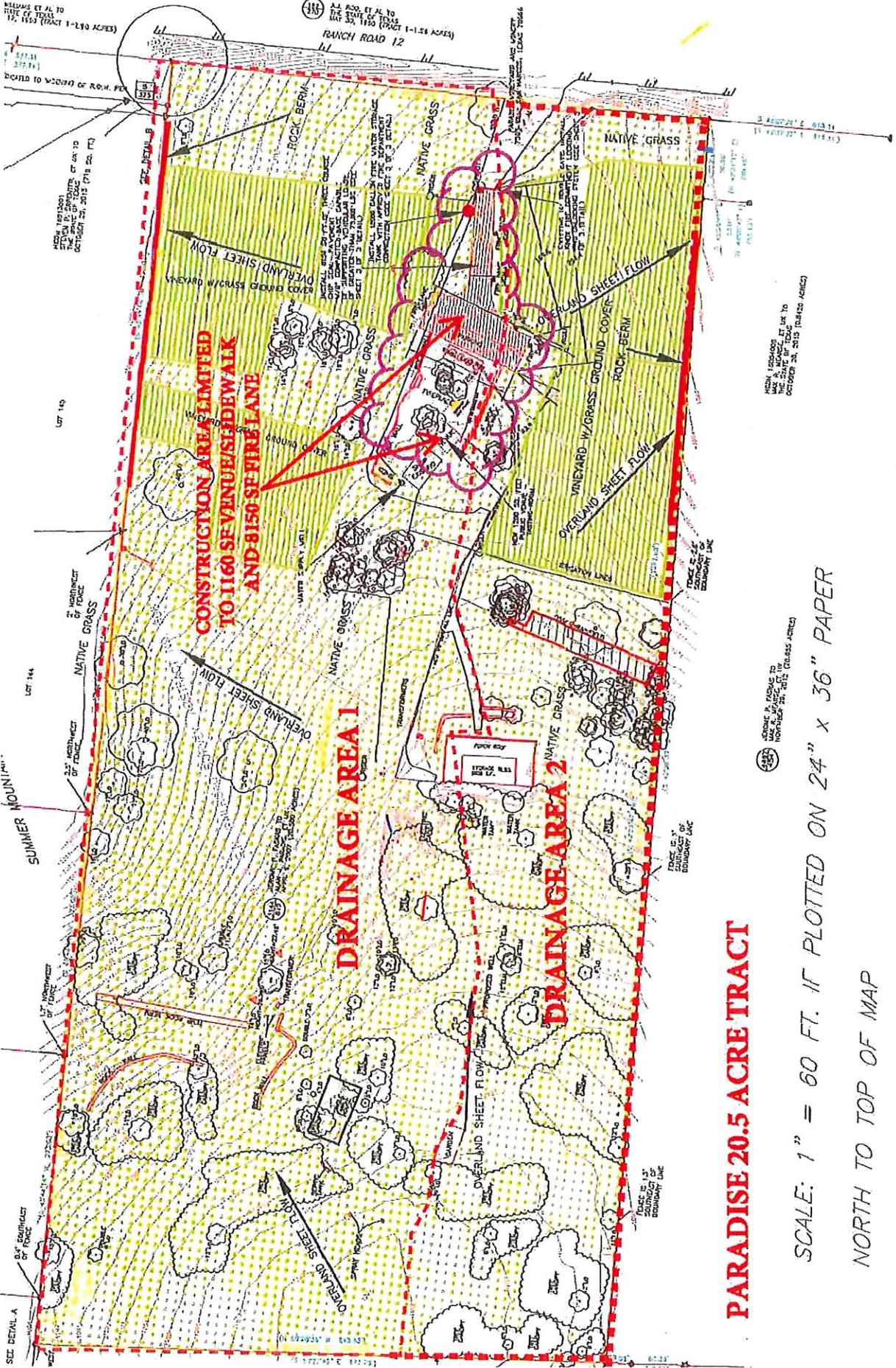
Given the foregoing, Mr. Paradis is requesting an exemption to the Water Quality Provisions set forth in TAC Title 30 Part 1 Chapter 213 Subchapter A and B for the following reasons:

- Paradis construction activities only involve minor soil disturbance and stabilization due to the construction of one small tasting room, one sidewalk, and one required fire lane;
- The construction site for the venue and fire lane had been previously disturbed due to former landowner activities; and
- Paradis’s planned improvements will only increase the impervious cover located on the 20.5-acre tract by 1.1-percent.

FIGURE ONE

Hays CAD Web Map - Paradis Vineyard and Winery





**PARADISE 20.5 ACRE TRACT**

SCALE: 1" = 60 FT. IF PLOTTED ON 24" x 36" PAPER  
 NORTH TO TOP OF MAP

DATE: 12/20/08  
 DRAWN BY: J. L. WALKER  
 CHECKED BY: J. L. WALKER  
 OCTOBER 28, 2013 (TRACES ADDED)

DATE: 12/20/08  
 DRAWN BY: J. L. WALKER  
 CHECKED BY: J. L. WALKER  
 OCTOBER 28, 2013 (TRACES ADDED)

## ATTACHMENT “B” – DOCUMENTATION OF EQUIVALENT WATER QUALITY PROTECTION

### VOLUME AND CHARACTER OF STORMWATER

The development of this site before Paradise Vineyard and Winery purchased this property on April 6, 2007, resulted in minimal to no increase in stormwater runoff. The proposed improvements listed in Attachment A, Table One, and shown on the attached figure will also result in minimal to no increase in stormwater runoff.

The hydrology calculations for existing and proposed conditions are presented in *Table Nos. Two and Three*. Table Two presents existing conditions stormwater runoff calculations using the Modified Rational Method associated with property improvements installed before April 6, 2007, (i.e., the Purchase Date).

*Table 2. Projected Property runoff (cfs) prior to Paradis Vineyard and Winery purchase.*

AREA ID	SLOPE (%)	AREA (ACS)	"C" VALUE (SOURCE: CITY OF SAN MARCOS, TEXAS)			Tc (MIN)	RAINFALL INTENSITY (SOURCE: CITY OF SAN MARCOS, TEXAS)			RATIONAL METHOD CALCULATED RUNOFF (CFS)		
			2 YR	10 YR	100 YR		2 YR	10 YR	100 YR	2 YR	10 YR	100 YR
							I2	I10	I100	Q2	Q10	Q100
1	<2.0	6.63	0.32	0.37	0.44	20	4.49	5.87	9.4	9.5	14.4	27.4
2	2.0 TO 7.0	<u>13.87</u>	0.37	0.43	0.53	20	4.49	5.87	9.4	<u>23.0</u>	<u>35.0</u>	<u>69.1</u>
		20.5								32.6	49.4	96.5

Table 3 presents existing and “buildout” conditions stormwater runoff for improvements installed after the Purchase Date.

*Table 3. Projected Property runoff (cfs) following Paradis Vineyard and Winery purchase of the Property.*

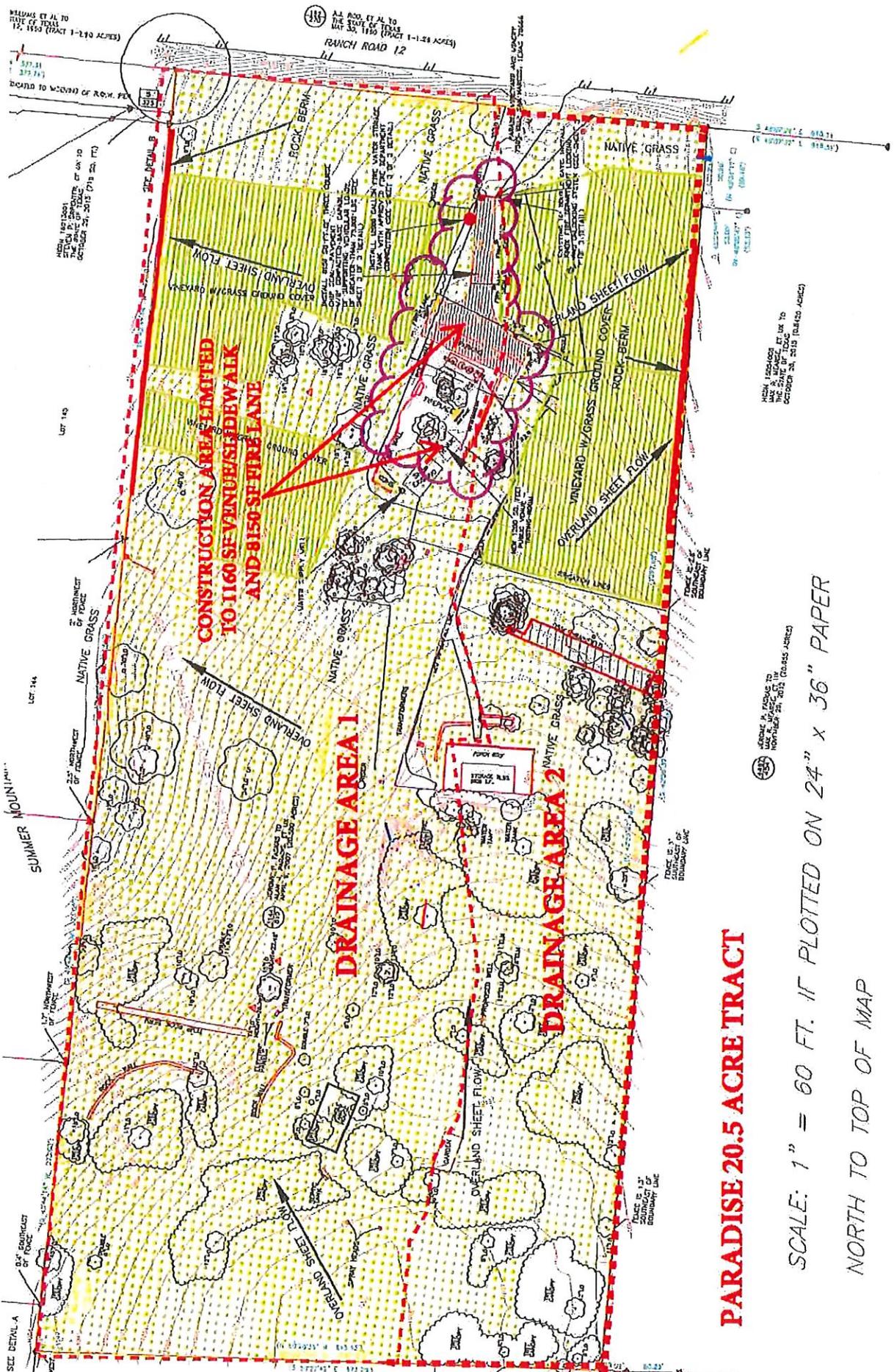
AREA ID	SLOPE (%)	AREA (ACS)	"C" VALUE (SOURCE: CITY OF SAN MARCOS, TEXAS)			Tc (MIN)	RAINFALL INTENSITY (SOURCE: CITY OF SAN MARCOS, TEXAS)			RATIONAL METHOD CALCULATED RUNOFF (CFS)		
			2 YR	10 YR	100 YR		2 YR	10 YR	100 YR	2 YR	10 YR	100 YR
							I2	I10	I100	Q2	Q10	Q100
1	<2.0	6.63	0.32	0.37	0.44	20	4.49	5.87	9.4	9.5	14.4	27.4
2	2.0 TO 7.0	13.87	0.38	0.44	0.55	20	4.49	5.87	9.4	<u>23.7</u>	<u>36.0</u>	<u>71.1</u>
										33.2	50.4	98.5

The projected additional runoff added to the site from the April 6, 2007, “pre-condition” through the “buildout condition” and including OSSF improvements is a minimal 1.0 cfs Q10 (i.e., 50.4 cfs – 49.4 cfs) and 2.0 cfs Q100 (i.e., 98.5 cfs – 96.5 cfs). These additional runoff flows are negligible compared to the entire 20.5-acre Property.

Drainage Area Nos. 1 and 2, as shown in the attached figure, drains via sheet flow generally from the west to the east through the Property. There is no defined drainage courses located on the

Property. Stormwater runoff originating from the Property's small amount of existing and proposed impervious cover is diffused as sheet flow over the Property and is "treated" by flowing over several acres of native grass covered land even within the vineyard footprints.

The flows directed from this site are in the form of sheet/overland flows and the calculated values are considered as the total contribution to adjacent on-site creeks. All existing Property drainage patterns were not altered by the post April 2, 2007, Property improvements and will not be altered by the remaining proposed Property improvements (i.e., Tasting Room, fire lane, parking, and OSSF improvements).



**PARADISE 20.5 ACRE TRACT**

SCALE: 1" = 60 FT. 1/4" PLOTTED ON 24" x 36" PAPER  
 NORTH TO TOP OF MAP

APPROVE & PRINTING TO THE STATE OF TEXAS NOVEMBER 28, 2013 (Grass Acres)

APPROVE & PRINTING TO THE STATE OF TEXAS OCTOBER 29, 2013 (Grass Acres)

**Agent Authorization Form**  
For Required Signature  
Edwards Aquifer Protection Program  
Relating to 30 TAC Chapter 213  
Effective June 1, 1999

I Alan Paradis,

Print Name

Owner and President,

Title - Owner/President/Other

of Paradis Vineyard and Winery, LLC

Corporation/Partnership/Entity Name

have authorized Donald G. Rauschuber, P.E., President,  
Print Name of Agent/Engineer

Of Donald G. Rauschuber and Associates, Inc.

Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to \$10,000 per day per violation.
2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.
3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.
4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.
5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

Applicant's Signature

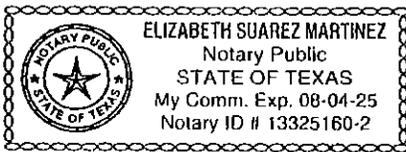
Alan Paradis  
4/19/24 Date

THE STATE OF Texas §

County of Hays §

BEFORE ME, the undersigned authority, on this day personally appeared Alan Paradis known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 19<sup>th</sup> day of April 2024.



Elizabeth SM  
NOTARY PUBLIC

Elizabeth Suarez Martinez  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 08-04-2025

# Application Fee Form

**Texas Commission on Environmental Quality**

Name of Proposed Regulated Entity: PARADIS VINEYARD AND WINERY LLC

Regulated Entity Location: 7585 RANCH ROAD 12 SAN MARCOS TX 78666 2529

Name of Customer: PARADIS VINEYARD AND WINERY LLC

Contact Person: ALAN PARADIS Phone: 817/233-6029

Customer Reference Number (if issued): CN CN606160901

Regulated Entity Reference Number (if issued): RN RN111773073

**Austin Regional Office (3373)**

Hays  
Travis

Williamson

**San Antonio Regional Office (3362)**

Bexar

Medina

Uvalde

Comal

Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

Austin Regional Office

San Antonio Regional Office

Mailed to: TCEQ - Cashier

Revenues Section

Mail Code 214

P.O. Box 13088

Austin, TX 78711-3088

12100 Park 35 Circle

Building A, 3rd Floor

Austin, TX 78753

(512)239-0357

Overnight Delivery to: TCEQ - Cashier

**Site Location (Check All That Apply):**

Recharge Zone

Transition Zone

Contributing Zone

<i>Type of Plan</i>	<i>Size</i>	<i>Fee Due</i>
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$

<i>Type of Plan</i>	<i>Size</i>	<i>Fee Due</i>
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	20.5 Acres	\$
Sewage Collection System	L.F.	\$
Lift Stations without sewer lines	Acres	\$
Underground or Aboveground Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	Each	\$ 500.00
Extension of Time	Each	\$

Signature:  Date: September 4, 2024

## **Application Fee Schedule**

**Texas Commission on Environmental Quality**  
Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

**Water Pollution Abatement Plans and Modifications  
Contributing Zone Plans and Modifications**

<i>Project</i>	<i>Project Area in Acres</i>	<i>Fee</i>
One Single Family Residential Dwelling	< 5	\$650
Multiple Single Family Residential and Parks	< 5	\$1,500
	5 < 10	\$3,000
	10 < 40	\$4,000
	40 < 100	\$6,500
	100 < 500	\$8,000
Non-residential (Commercial, industrial, institutional, multi-family residential, schools, and other sites where regulated activities will occur)	≥ 500	\$10,000
	< 1	\$3,000
	1 < 5	\$4,000
	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

**Organized Sewage Collection Systems and Modifications**

<i>Project</i>	<i>Cost per Linear Foot</i>	<i>Minimum Fee- Maximum Fee</i>
Sewage Collection Systems	\$0.50	\$650 - \$6,500

**Underground and Aboveground Storage Tank System Facility Plans and Modifications**

<i>Project</i>	<i>Cost per Tank or Piping System</i>	<i>Minimum Fee- Maximum Fee</i>
Underground and Aboveground Storage Tank Facility	\$650	\$650 - \$6,500

**Exception Requests**

<i>Project</i>	<i>Fee</i>
Exception Request	\$500

**Extension of Time Requests**

<i>Project</i>	<i>Fee</i>
Extension of Time Request	\$150



TCEQ Use Only

# TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided.)		
New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
Renewal (Core Data Form should be submitted with the renewal form)		Other
<b>2. Customer Reference Number</b> (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	<b>3. Regulated Entity Reference Number</b> (if issued)
CN 6061609		RN 1117730

## SECTION II: Customer Information

<b>4. General Customer Information</b>		<b>5. Effective Date for Customer Information Updates</b> (mm/dd/yyyy)		6/29/2023	
New Customer		Update to Customer Information		Change in Regulated Entity Ownership	
Change In Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)					
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>					
<b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John)				<i>If new Customer, enter previous Customer below:</i>	
Paradis Vineyard and Winery, LLC					
<b>7. TX SOS/CPA Filing Number</b>		<b>8. TX State Tax ID</b> (11 digits)		<b>9. Federal Tax ID</b> (9 digits)	
800883504		32033930002		35-2311748	
<b>10. DUNS Number</b> (if applicable)					
<b>11. Type of Customer:</b>		Corporation		Individual	
		Partnership: General Limited		Sole Proprietorship	
Government: City County Federal Local State Other		Other:			
<b>12. Number of Employees</b>				<b>13. Independently Owned and Operated?</b>	
<input checked="" type="radio"/> 0-20 <input type="radio"/> 21-100 <input type="radio"/> 101-250 <input type="radio"/> 251-500 <input type="radio"/> 501 and higher				<input checked="" type="radio"/> Yes <input type="radio"/> No	
<b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following					
<input checked="" type="radio"/> Owner		<input type="radio"/> Operator		<input type="radio"/> Owner & Operator	
Occupational Licensee		Responsible Party		VCP/BSA Applicant	
Other: _____					
<b>15. Mailing Address:</b>					
7585 RANCH ROAD 12					
SAN MARCOS, TX 78666-2529					
City		State		ZIP	
San Marcos		TX		78666	
ZIP + 4		2529			
<b>16. Country Mailing Information</b> (if outside USA)				<b>17. E-Mail Address</b> (if applicable)	
				alanjparadis@gmail.com	
<b>18. Telephone Number</b>			<b>19. Extension or Code</b>		<b>20. Fax Number</b> (if applicable)
( 817 ) 233-0029					( ) -

## SECTION III: Regulated Entity Information

<b>21. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected, a new permit application is also required.)									
New Regulated Entity    Update to Regulated Entity Name    Update to Regulated Entity Information									
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>									
<b>22. Regulated Entity Name</b> (Enter name of the site where the regulated action is taking place.)									
Paradis Vineyard and Winery, LLC									
<b>23. Street Address of the Regulated Entity:</b>		7585 RANCH ROAD 12							
<b>(No PO Boxes)</b>		City	San Marcos	State	TX	ZIP	78666	ZIP + 4	2529
<b>24. County</b>									
If no Street Address is provided, fields 25-28 are required.									
<b>25. Description to Physical Location:</b>									
<b>26. Nearest City</b>				<b>State</b>		<b>Nearest ZIP Code</b>			
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>									
<b>27. Latitude (N) In Decimal:</b>			<b>28. Longitude (W) In Decimal:</b>						
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds				
29°	55'	32.54" N	98°	4'	2.10" W				
<b>29. Primary SIC Code</b>		<b>30. Secondary SIC Code</b>		<b>31. Primary NAICS Code</b>		<b>32. Secondary NAICS Code</b>			
(4 digits)		(4 digits)		(5 or 6 digits)		(5 or 6 digits)			
				111332		0172			
<b>33. What is the Primary Business of this entity?</b> (Do not repeat the SIC or NAICS description.)									
Vineyard and Winery									
<b>34. Mailing Address:</b>		7585 RANCH ROAD 12							
		City	San Marcos	State	TX	ZIP	78666	ZIP + 4	2529
<b>35. E-Mail Address:</b>		alanjparadis@gmail.com							
<b>36. Telephone Number</b>			<b>37. Extension or Code</b>			<b>38. Fax Number</b> (if applicable)			
( 817 ) 233-6029						( ) -			

**39. TCEQ Programs and ID Numbers** Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

Dam Safety	Districts	Edwards Aquifer	Emissions Inventory Air	Industrial Hazardous Waste
Municipal Solid Waste	New Source Review Air	OSSF	Petroleum Storage Tank	PWS
Sludge	Storm Water	Title V Air	Tires	Used Oil
Voluntary Cleanup	Wastewater	Wastewater Agriculture	Water Rights	Other:

**SECTION IV: Preparer Information**

40. Name:	Don Rauschuber, P.E.	41. Title:	Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
( 512 ) 413-9300		( ) -	dgrwater@dgrainc.com

**SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Paradis Vineyard and Winery, LLC	Job Title:	Owner/President
Name (In Print):	Alan J. Paradis	Phone:	( 817 ) 233- 6029
Signature:		Date:	6/29/2023 4/8/24

# Geologic Assessment

## Texas Commission on Environmental Quality

For Regulated Activities on The Edwards Aquifer Recharge/transition Zones and Relating to 30 TAC §213.5(b)(3), Effective June 1, 1999

**To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.**

**Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.**

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. My signature certifies that I am qualified as a geologist as defined by 30 TAC Chapter 213.

Print Name of Geologist: Andy G. Grubbs RS PG Telephone: 512 392-3546

Date: 2-26-2022

Fax: \_\_\_\_\_

Representing: \_\_\_\_\_ (Name of Company and TBPG or TBPE registration number)

Signature of Geologist: Hays Environmental Consulting PG # 6708



Regulated Entity Name: Paradis Vinyard & Winery LLC



## Project Information

1. Date(s) Geologic Assessment was performed: 12-17-2021, 1-25-2022, 1-31-2022

2. Type of Project:

WPAP

AST

SCS

UST

3. Location of Project:

Recharge Zone

Transition Zone

Contributing Zone within the Transition Zone

4.  **Attachment A - Geologic Assessment Table.** Completed Geologic Assessment Table (Form TCEQ-0585-Table) is attached.
5.  Soil cover on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups\* (*Urban Hydrology for Small Watersheds, Technical Release No. 55, Appendix A, Soil Conservation Service, 1986*). If there is more than one soil type on the project site, show each soil type on the site Geologic Map or a separate soils map.

**Table 1 - Soil Units, Infiltration Characteristics and Thickness**

Soil Name	Group*	Thickness(feet)
Rumple - Comfort	C	0.5-1.2'

\* Soil Group Definitions (Abbreviated)

- A. Soils having a high infiltration rate when thoroughly wetted.
- B. Soils having a moderate infiltration rate when thoroughly wetted.
- C. Soils having a slow infiltration rate when thoroughly wetted.
- D. Soils having a very slow infiltration rate when thoroughly wetted.

6.  **Attachment B – Stratigraphic Column.** A stratigraphic column showing formations, members, and thicknesses is attached. The outcropping unit, if present, should be at the top of the stratigraphic column. Otherwise, the uppermost unit should be at the top of the stratigraphic column.
7.  **Attachment C – Site Geology.** A narrative description of the site specific geology including any features identified in the Geologic Assessment Table, a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure(s), and karst characteristics is attached.

8.  **Attachment D – Site Geologic Map(s).** The Site Geologic Map must be the same scale as the applicant's Site Plan. The minimum scale is 1": 400'

Applicant's Site Plan Scale: 1" = 40 '

Site Geologic Map Scale: 1" = 40 '

Site Soils Map Scale (if more than 1 soil type): 1" = 700 '

9. Method of collecting positional data:

Global Positioning System (GPS) technology.

Other method(s). Please describe method of data collection: \_\_\_\_\_

10.  The project site and boundaries are clearly shown and labeled on the Site Geologic Map.

11.  Surface geologic units are shown and labeled on the Site Geologic Map.

12.  Geologic or manmade features were discovered on the project site during the field investigation. They are shown and labeled on the Site Geologic Map and are described in the attached Geologic Assessment Table.
- ~~Geologic or manmade features were not discovered on the project site during the field investigation.~~
13.  The Recharge Zone boundary is shown and labeled, if appropriate.
14. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.): If applicable, the information must agree with Item No. 20 of the WPAP Application Section.
- There are 1 (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply.)
- The wells are not in use and have been properly abandoned.
- The wells are not in use and will be properly abandoned.
- The wells are in use and comply with 16 TAC Chapter 76.
- There are no wells or test holes of any kind known to exist on the project site.

### ***Administrative Information***

15.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

**GEOLOGIC ASSESSMENT TABLE** PROJECT NAME: **Paradis Vineyard & Winery LLC**

LOCATION			FEATURE CHARACTERISTICS					EVALUATION					PHYSICAL SETTING			
1A	1B	1C	2A	2B	3	4	5	5A	6	7	8A	8B	9	10	11	12
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATION	DIMENSIONS (FEET)	TREND (DEGREES)	D.M.	DENSITY (NO/FT)	APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY	CATCHMENT AREA (ACRES)	TOPOGRAPHY
W1	29.924	-98.067	MB	30	KkVI						N		30	<40	<1.6	hillside
F1	29.924	-98.068	SC	20	KkVI	1 2	1				O	low 5	25	>40	>1.6	hillside
F2	29.924	-98.068	SC	20	KkVI	1 1	1				O	low 5	25	>40	>1.6	hillside
F3	29.924	-98.067	SF	20	KkVI	1 1	1				O	low 5	25	>40	>1.6	hillside
F4	29.924	-98.069	SC	20	KkVI	1 2	2				O	low 5	25	>40	>1.6	hillside

\* DATUM:

2A TYPE	TYPE	2B POINTS
C	Cave	30
SC	Solution cavity	20
SF	Solution-enlarged fracture(s)	20
F	Fault	20
O	Other natural bedrock features	5
MB	Manmade feature in bedrock	30
SW	Swallow hole	30
SH	Sinkhole	20
CD	Non-karst closed depression	5
Z	Zone, clustered or aligned features	30

**8A INFILLING**

- N None, exposed bedrock
- C Coarse - cobbles, breakdown, sand, gravel
- O Loose or soft mud or soil, organics, leaves, sticks, dark colors
- F Fines, compacted clay-rich sediment, soil profile, gray or red colors
- V Vegetation. Give details in narrative description
- FS Flowstone, cements, cave deposits
- X Other materials

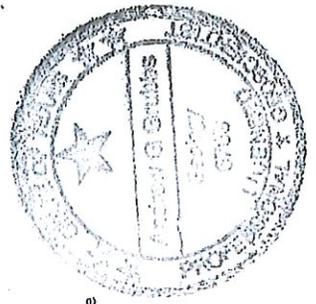
**12 TOPOGRAPHY**

**Cliff, Hilltop, Hillside, Drainage, Floodplain, Streambed**

I have read, I understand, and I have followed the Texas Commission on Environmental Quality's instructions to Geologists. The information presented here complies with that document and is a true representation of the conditions observed in the field. My signature certifies that I am qualified as a geologist as defined by 30 TAC Chapter 213.

Date

*Andy D. Dark*  
 Sheet 1 of 1  
 2-26-77



## Comments for the Geologic Assessment Table:

**W1** Water supply well

**F1** Area of elevated bedrock with small solution cavities along edge. Some animal burrowing has removed soil and opened the solution cavities. Bedrock out crop is 10 - 15' with some karst weathering. SC openings 10 - 14" and none more than 30" in depth



**F2** 2 small karst openings. Solution cavities in a area of bedrock pavement. Appear to take small local runoff and have thick moss around opening indicating constant flow of moist air from underground



**F3** 2 small solution enlarged fractures in area of bedrock with linear fractures. 4-6" wide, 10-14" long and 12-16" deep. Located on edge of bedrock pavement area



**F4** area of raised bedrock pavement with prominent solution cavities / very large vugs.  
Characteristic of surface karst formation on Kirschberg member of Kainer formation. Cavities  
14" wide and 30" long filled with soft organic debris and some areas burrowed by armadillos



*Andrew G. Grubbs* RSPC

## Feature Location Table

All locations in WGS 84 projection

Feature ID	Lat	Long	Lat	Long
W1	29.9247	-98.0677		
F1	29.92423	-98.06843		
F2	29.92417	-98.06803		
F3	29.92431	-98.06788		
F4	29.92460	-98.06934		

*Auth. B. J. Walker, P.S.P.C.*

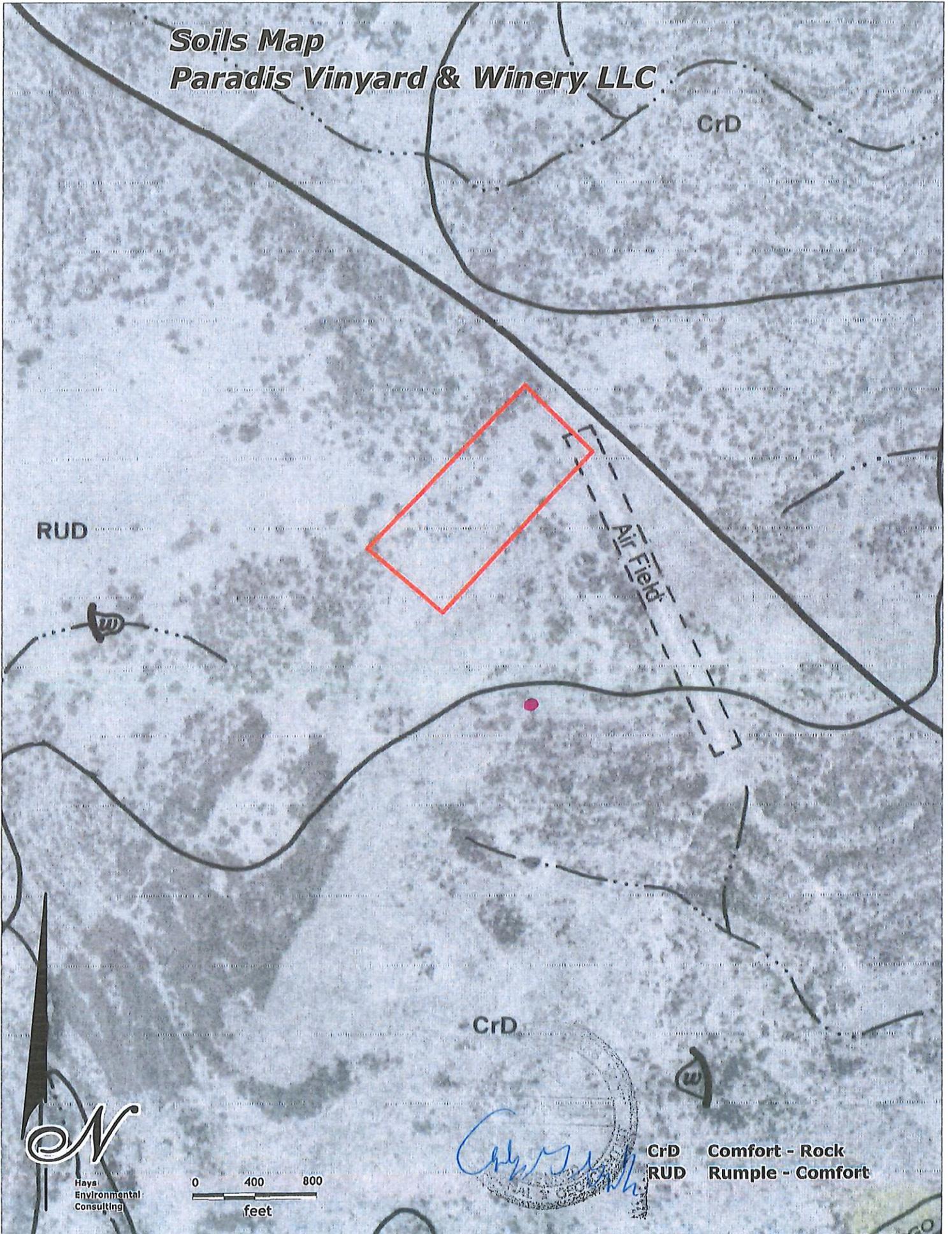
## SITE SOILS

The soils mapped on the site by the U.S. Soil Conservation Service are the Rumble - Comfort soil series of the Gravelly Redland and Low Stony Hills range sites. They are dark cherty clay and clay loams, shallow to moderately deep on uplands of the Edwards Plateau Land Resource Area. These soils are very thin and rocky with very low permeability of 0.06 - 0.6"/hour . They are often underlain by hard dense limestone that can be impervious if not fractured. At this location soils are generally no more than 14 " in thickness. The soils are very dark reddish brown clays. Visual inspection showed that there are many areas of rocky, very thin soils and exposed bedrock ledges. This site has been cleared by heavy machinery at various times, scraped areas of bare rock and piles of large rocks are common

  
\_\_\_\_\_  
**ANDREW G. GRUBBS**  
**PROFESSIONAL GEOSCIENTIST # 6708**



# Soils Map Paradis Vinyard & Winery LLC



CrD

RUD

Air Field

CrD

CrD Comfort - Rock  
RUD Rumple - Comfort

  
Hays  
Environmental  
Consulting

0 400 800  
feet

*[Handwritten signature]*  
[Circular stamp]

# Attachment B: Site Stratigraphic Column

Comanche Series

Kainer Formation  
Kirschberg Evaporite

Kainer Formation  
Dolomitic member

Kainer Formation  
Basal nodular member

Walnut Formation

Fredericksburg Group

Trinity Group

upper Glen Rose Formation

Vuggy Evaporitic  
Limestone

Thick bedded /massive  
Limestone

Thick bedded  
dolomitic limestone

nodular limestone

fossiliferous marl

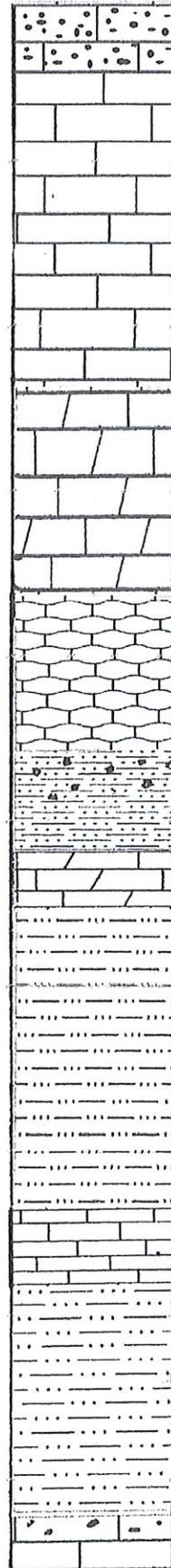
dolomitic limestone

marl

flagstone

marl

flagstone



A circular seal of the Texas Geological Survey is located at the bottom left. Below it is a blue ink signature that reads "Andy S. Bell" with "R301" written below the signature.

## **SITE GEOLOGY:**

### ***Structure***

This project area is near the western edge of the Balcones Fault Zone where the Fredericksburg division rocks of the Edwards group thin and the earlier Trinity division rocks outcrop. It lies on the rolling plateau topography of the Balcones Fault zone. The stair step hill country of the upper Glen Rose begins approximately 1.9 miles to the west. The tract lies between major displacement faults and is just east of a large fault. No displacement faults are present tho cross faults are likely. It is 1.2 miles east of the Hidden Valley Fault. Relay ramp cross faults are in this area but are hard to determine due to the uniform lithology. Topography indicates that this area is part of a very large relay ramp structure. Beds on the site appear to be fairly horizontal but may have some large scale tilting due to faulting. There is a unnamed fault that runs on the west side of the site. This fault is expressed by a zone of large limestone blocks with linear alignments of well developed fractures and areas with tilted strata which run on the main trend of 55°, parallel to the major faults of the area. This fault is a normal "down to the coast" fault.

### ***Stratigraphy***

The lower Dolomitic member, subdivision VII and Kirschberg evaporite member, subdivision VI of the Kainer Formation are the surface exposures found over the tract. The Kirschberg is a dense mudstone with zones of honeycomb porosity. The Lower Dolomitic Member of the Kainer Formation is generally a dense mudstone to grainstone with some chert in specific horizons. The Dolomitic member generally has a low permeability fabric that acts as a barrier to the vertical migration of water. Cavern development is concentrated on structure or bedding planes.

### ***Lithology***

The lithology of the Lower Dolomitic member is very dense, fine grained, recrystallized dolomitic limestone with minor fossils present. The rock is thick bedded to massive. The rock fabric appears to be a uniform, fine grained, very dense strata. The outcropping rocks forms solid pavements, prominent ledges and areas of boulders. Surface sculpture of the bedrock by solution is moderate to poorly developed on the site and generally little honeycomb development was noted in this section. Due to the tectonic history and setting near major faults, fracture permeability is probably relatively high in these rocks. The Kirschberg member is a evaporitic mudstone with a very high fabric induced porosity. It forms extensive areas of very vuggy "honeycomb" and has boxwork and solution collapse features due to the early leaching of the gypsum in that section. It forms very distinctive rugged topography where it is exposed on the surface

Water infiltrating in this area has the potential run along the nearby faults and flow to San Marcos Springs 8.4 miles to the east southeast

The entire tract was surveyed using walking transects no greater than 50' apart. Geophysical well logs from nearby water wells have also been examined. Based on logs from water wells on nearby properties the top of the upper Trinity Lower Glen Rose formation is 640' below the surface, the Hensel shale 970', and the Cow Creek limestone about 1030' deep at this site. Due to local faulting and variation in lithology these depths are not exact. Water wells in this area tap

formations in the middle Trinity group due to the relative thinness of the Edwards rocks here. Groundwater in this area is administered by the EAA in the Edwards and the BSEACD in the Trinity.

Geologic studies specific to this area which were used as background include, Hill (1901) George (1948) Bills (1957) Noyes and Young (1960) DeCook (1960) Rose, P.R.(1972) Maclay and Small (1976) Collins, Baumgardner, and Raney (1991) Hanson and Small (1995) and Ahr (2008)

Ahr, W.M., 2008, *Geology of Carbonate Reservoirs: the identification, description, and characterization of hydrocarbon reservoirs in carbonate rocks*; John Wiley & Sons New Jersey, pp 277

Bills, T.V., Jr., 1957, *Geology of Waco Springs Quadrangle, Comal County, Texas*. University of Texas, Austin, Master's thesis 106 P.

Collins, E.W., Baumgardner, R.W., Jr., and Raney, J. A., 1991 *Geologic map of the Smithson's Valley quadrangle, Texas: the Univ of Texas, Austin, Bureau of Econ. Geo. Open-file map, scale 1:24,000*

DeCook, K.J., 1960 *Geology and ground-water Resources of Hays County, Texas*. Texas Board of Water Engineers Bull 6004, 170p

George, W.O., 1948, *Development of limestone reservoirs in Comal County, Texas*: American Geophysical Union trans, v29, 503-510

Hanson, J.A., and Small, T.A., 1994, *Geologic framework and Hydrogeologic Characteristics of the Edwards Aquifer Outcrop, Comal County, Texas*: U.S. Geological Survey Water Resources Investigations Report 94 - 4117

Hanson, J.A. and Small, T.A., 1995 *Geologic framework and hydrogeologic characteristics of the Edwards Aquifer outcrop, Hays County, Texas*: U.S. Geo Survey Water Inv Rpt 95 -4265

HILL, R. T.1901. *Geography and Geology of the Black and Grand Prairies*. United States Geological Survey, 21st Annual Report, Part 7.

Lozo, E.F., Et Al., 1959. *Symposium on the Edwards Limestone in central Texas*: University of Texas, Bureau of Economic Geology Publication 5905, 235p.

Maclay, R.W., and Small, T.A., 1976 *Progress report on geology of the Edwards Aquifer, San Antonio area, Texas, and preliminary interpretation of borehole geophysical and laboratory data on carbonate rocks*: U.S. Geological Survey Open-File Report 76-627, 65p.

Noyes, A.P., Jr. and Young, K.P., 1960, *Geology of Purgatory Creek area, Hays and Comal*

Counties, Texas: Texas Jour. Sci., v.12 no1 & 2, p. 64-104

Rose, P.R. 1972, Edwards Group Surface and Subsurface, Central Texas University of Texas ,  
Bureau of Economic Geology Report Inv. no 74. 198 p.

Stricklin, F.L., Jr., Smith, C.L., and Lozo, F.E., 1971, stratigraphy of Lower Cretaceous Trinity  
deposits of central Texas: Univ. Texas at Austin, Bur. Econ. Geology Rept. Inv. No. 71.

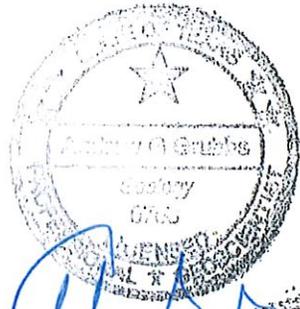
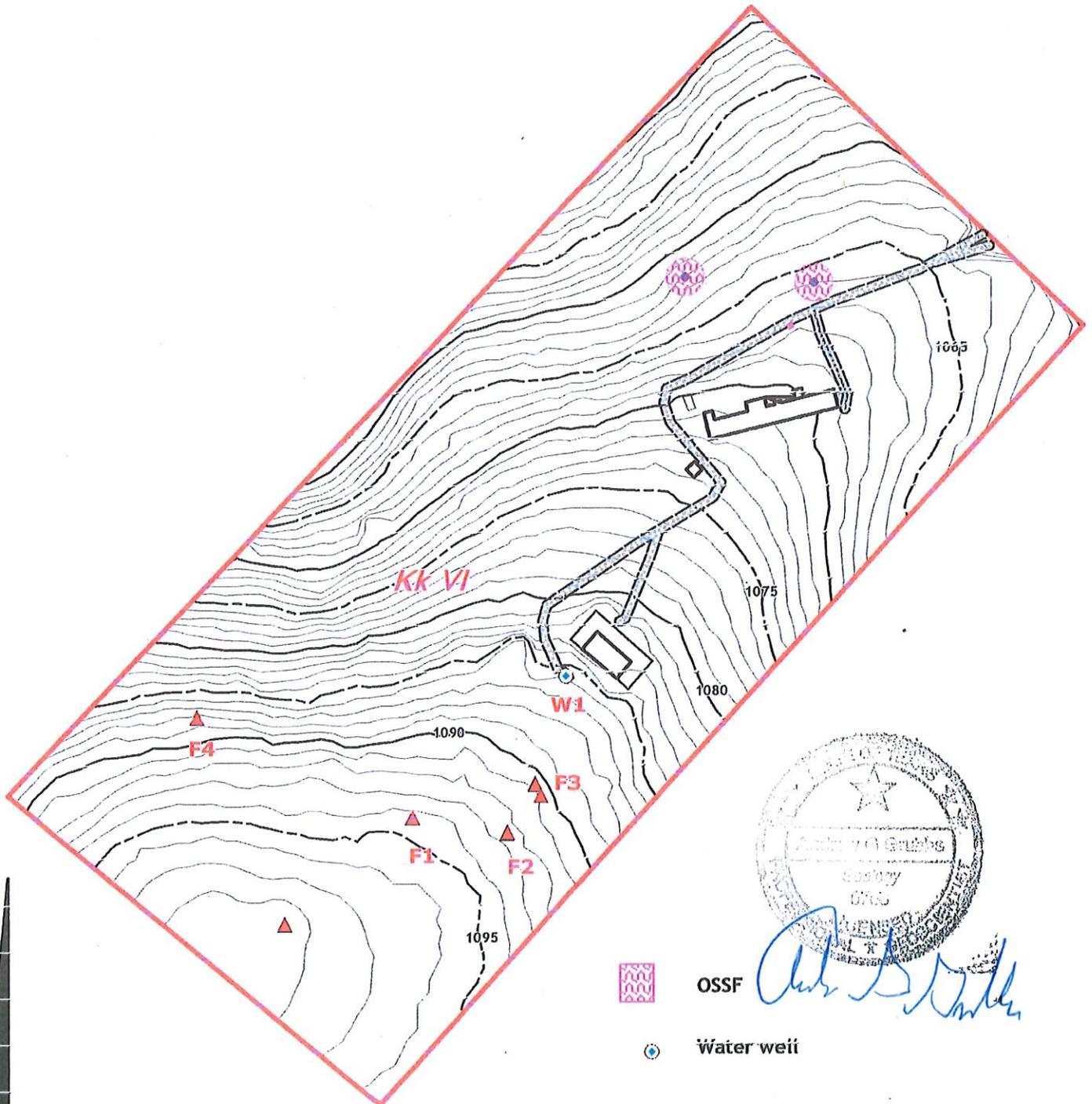
Senger, R.K., and Kreitler, C.W., 1984 Hydrogeology of the Edwards Aquifer, Austin area,  
central Texas: University of Texas , Bureau of Economic Geology Report Inv. no 141. 35p.



**ANDREW G. GRUBBS**  
**PROFESSIONAL GEOSCIENTIST # 6708**



**Attachment D**  
**Site Geologic Map**  
**Paradis Vinyard & Winery LLC**



*Handwritten signature in blue ink.*



OSSF

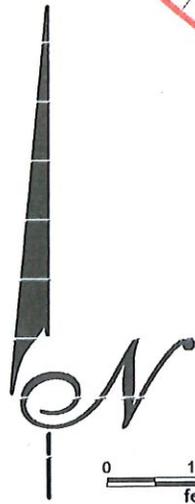


Water well



Recharge Feature

**Contour Interval 1'**

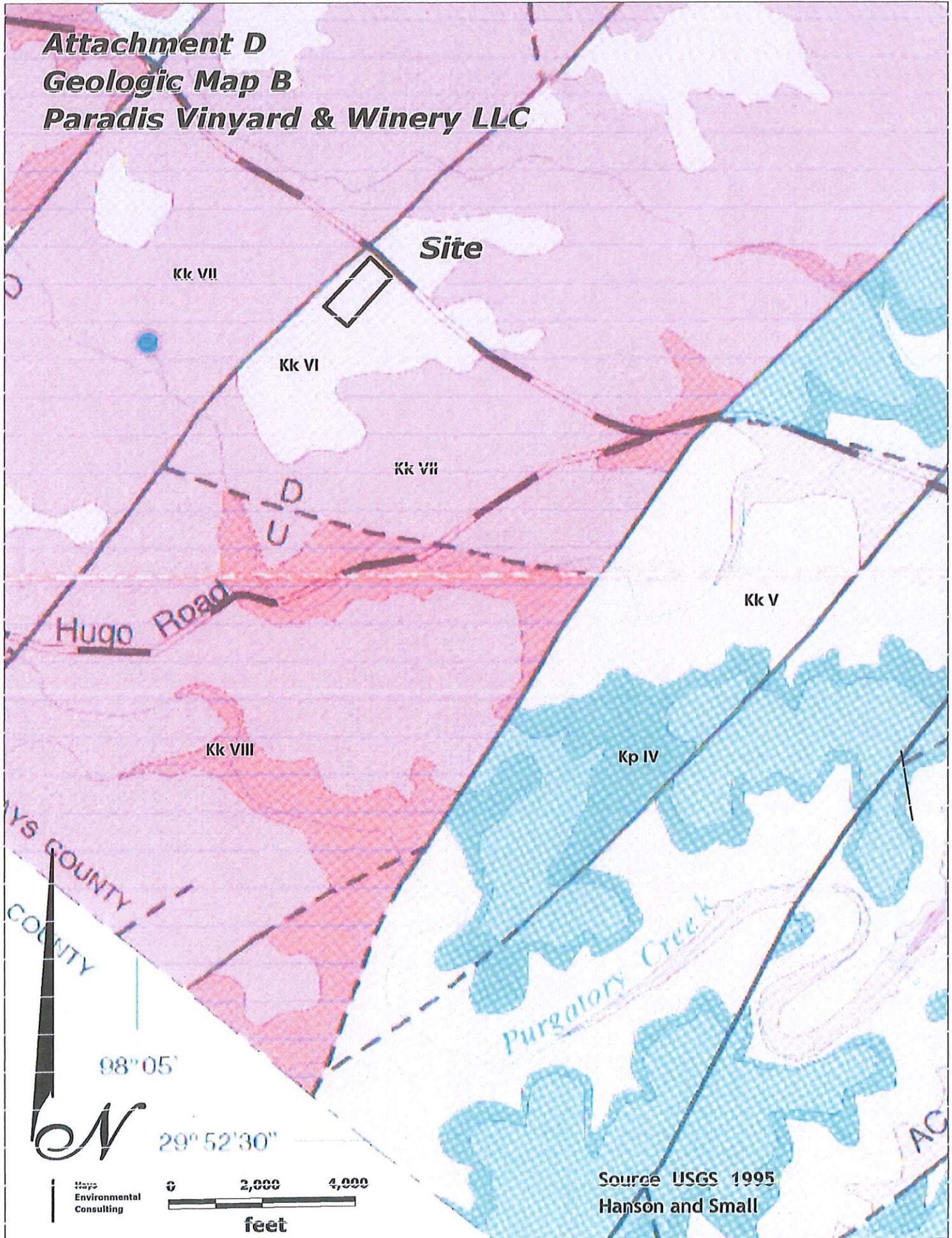


0 100 200  
feet

Topographic Contours based on  
LIDAR TNIRIS 2017

Hays  
Environmental  
Consulting

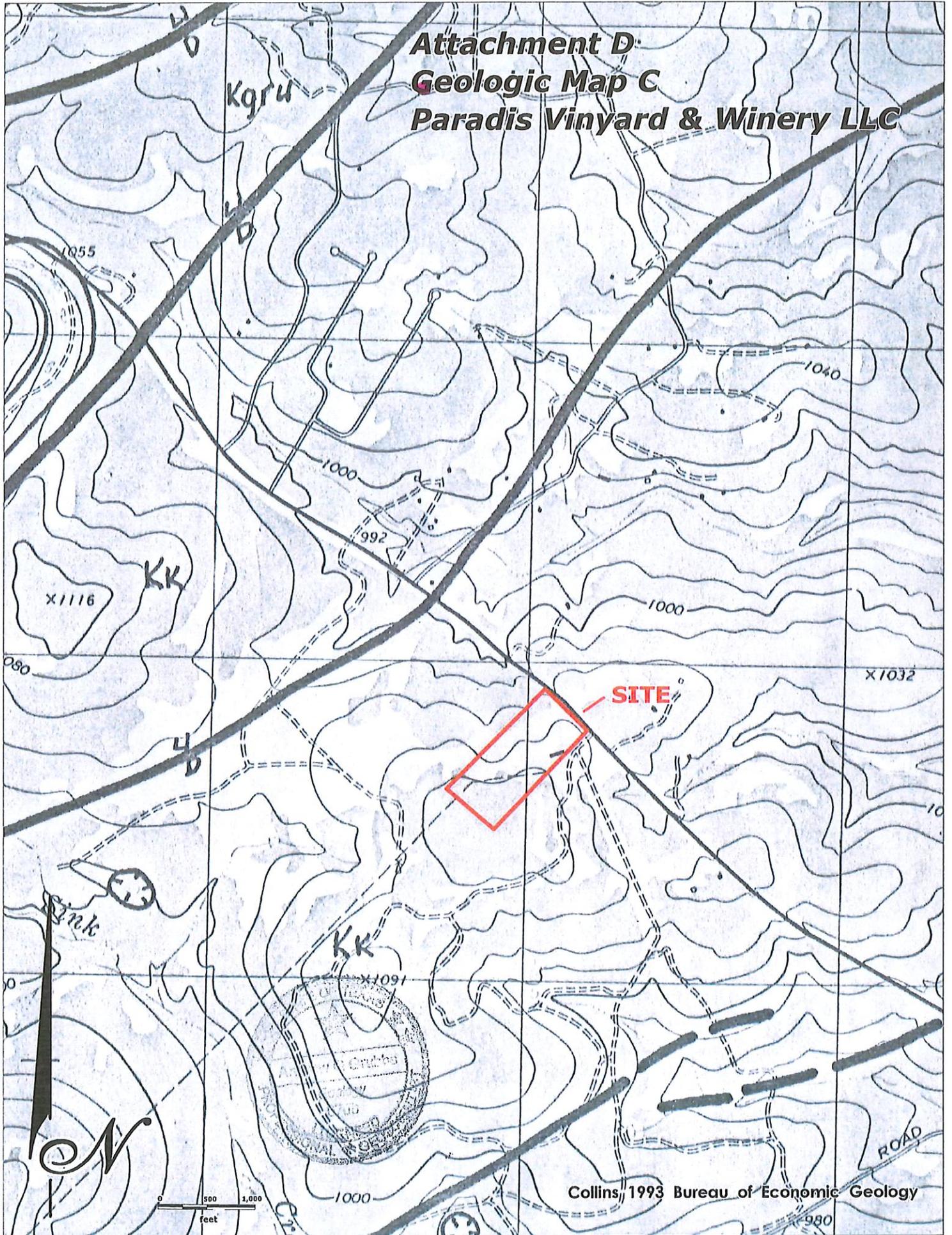
**Attachment D  
Geologic Map B  
Paradis Vinyard & Winery LLC**



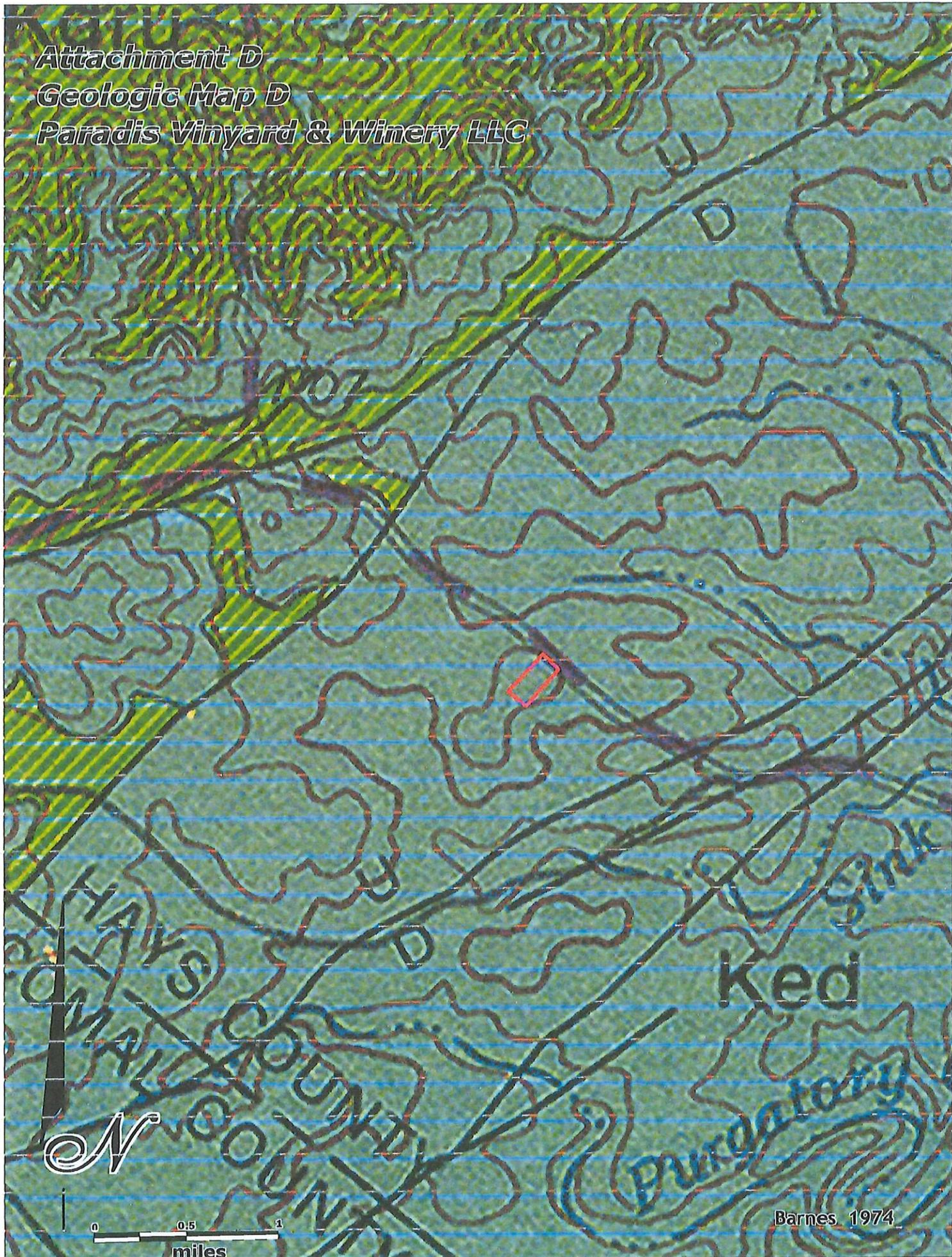
Source USGS 1995  
Hanson and Small

Hays  
Environmental  
Consulting

**Attachment D  
Geologic Map C  
Paradis Vinyard & Winery LLC**



*Attachment D  
Geologic Map D  
Paradis Vinyard & Winery LLC*



Barnes 1974

# Temporary Stormwater Section

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Relating to 30 TAC §213.5(b)(4)(A), (B), (D)(I) and (G); Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **Temporary Stormwater Section** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Print Name of Customer/Agent: Donald G. Rauschuber and Associates, Inc.

Date: September 20, 2024

Signature of Customer/Agent:



Regulated Entity Name: Paradis Vineyard and Winery, LLCC

## Project Information

### Potential Sources of Contamination

*Examples: Fuel storage and use, chemical storage and use, use of asphaltic products, construction vehicles tracking onto public roads, and existing solid waste.*

1. Fuels for construction equipment and hazardous substances which will be used during construction:

The following fuels and/or hazardous substances will be stored on the site: N.A.

These fuels and/or hazardous substances will be stored in:

Aboveground storage tanks with a cumulative storage capacity of less than 250 gallons will be stored on the site for less than one (1) year.

- Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.
- Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An Aboveground Storage Tank Facility Plan application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.
- Fuels and hazardous substances will not be stored on the site.
- 2.  **Attachment A - Spill Response Actions.** A site specific description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is attached. *N.A.*
- 3.  Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature. *N.A.*
- 4.  **Attachment B - Potential Sources of Contamination.** A description of any activities or processes which may be a potential source of contamination affecting surface water quality is attached. *N.A.*

### ***Sequence of Construction***

- 5.  **Attachment C - Sequence of Major Activities.** A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is attached.
  - For each activity described, an estimate (in acres) of the total area of the site to be disturbed by each activity is given.
  - For each activity described, include a description of appropriate temporary control measures and the general timing (or sequence) during the construction process that the measures will be implemented.
- 6.  Name the receiving water(s) at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project: N.A.

### ***Temporary Best Management Practices (TBMPs)***

*Erosion control examples: tree protection, interceptor swales, level spreaders, outlet stabilization, blankets or matting, mulch, and sod. Sediment control examples: stabilized construction exit, silt fence, filter dikes, rock berms, buffer strips, sediment traps, and sediment basins. Please refer to the Technical Guidance Manual for guidelines and specifications. All structural BMPs must be shown on the site plan.*

- 7.  **Attachment D – Temporary Best Management Practices and Measures.** TBMPs and measures will prevent pollution of surface water, groundwater, and stormwater. The construction-phase BMPs for erosion and sediment controls have been designed to retain sediment on site to the extent practicable. The following information is attached:

- A description of how BMPs and measures will prevent pollution of surface water, groundwater or stormwater that originates upgradient from the site and flows across the site. **SEE ATTACHED DESCRIPTION**
  - A description of how BMPs and measures will prevent pollution of surface water or groundwater that originates on-site or flows off site, including pollution caused by contaminated stormwater runoff from the site.
  - A description of how BMPs and measures will prevent pollutants from entering surface streams, sensitive features, or the aquifer.
  - A description of how, to the maximum extent practicable, BMPs and measures will maintain flow to naturally-occurring sensitive features identified in either the geologic assessment, TCEQ inspections, or during excavation, blasting, or construction.
8.  The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided.
- Attachment E - Request to Temporarily Seal a Feature.** A request to temporarily seal a feature is attached. The request includes justification as to why no reasonable and practicable alternative exists for each feature.
  - There will be no temporary sealing of naturally-occurring sensitive features on the site.
9.  **Attachment F - Structural Practices.** A description of the structural practices that will be used to divert flows away from exposed soils, to store flows, or to otherwise limit runoff discharge of pollutants from exposed areas of the site is attached. Placement of structural practices in floodplains has been avoided.
10.  **Attachment G - Drainage Area Map.** A drainage area map supporting the following requirements is attached: **SEE ATTACHED DRAWING SHOWING OVERLAND FLOW PATTERNS**
- For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin will be provided.
  - For areas that will have more than 10 acres within a common drainage area disturbed at one time, a smaller sediment basin and/or sediment trap(s) will be used.
  - For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin or other equivalent controls are not attainable, but other TBMPs and measures will be used in combination to protect down slope and side slope boundaries of the construction area.
  - There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time. A smaller sediment basin and/or sediment trap(s) will be used in combination with other erosion and sediment controls within each disturbed drainage area.

- There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time. Erosion and sediment controls other than sediment basins or sediment traps within each disturbed drainage area will be used.
11.  **Attachment H - Temporary Sediment Pond(s) Plans and Calculations.** Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are attached.
- N/A
12.  **Attachment I - Inspection and Maintenance for BMPs.** A plan for the inspection of each temporary BMP(s) and measure(s) and for their timely maintenance, repairs, and, if necessary, retrofit is attached. A description of the documentation procedures, recordkeeping practices, and inspection frequency are included in the plan and are specific to the site and/or BMP. *N.A.*
13.  All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections by the applicant or the executive director, or other information indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. *N.A.*
14.  If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). *N.A.*
15.  Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50%. A permanent stake will be provided that can indicate when the sediment occupies 50% of the basin volume. *N.A.*
16.  Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily). *N.A.*

### ***Soil Stabilization Practices***

*Examples: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, or preservation of mature vegetation.*

17.  **Attachment J - Schedule of Interim and Permanent Soil Stabilization Practices.** A schedule of the interim and permanent soil stabilization practices for the site is attached. *N.A.*

- 18.  Records must be kept at the site of the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
- 19.  Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

### ***Administrative Information***

- 20.  All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.
- 21.  If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.
- 22.  Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction. *N.A.*

TCEQ FORM 0602 Sequence of Construction

5. Attachment C - Sequence of Major Activities. A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is as follows:

For each activity described, an estimate (in acres) of the total area of the site to be disturbed by each activity is given.

Grading of a 8,125 square feet fire lane and the 1,200 square feet base for a venue building (see attached figure). Total disturbed area is 9,325 square feet or 0.21 acres. The fire lane will be surfaced with 3-course chip seal. A "tasting room"/building will be constructed on the 1,200 square feet concrete pad.

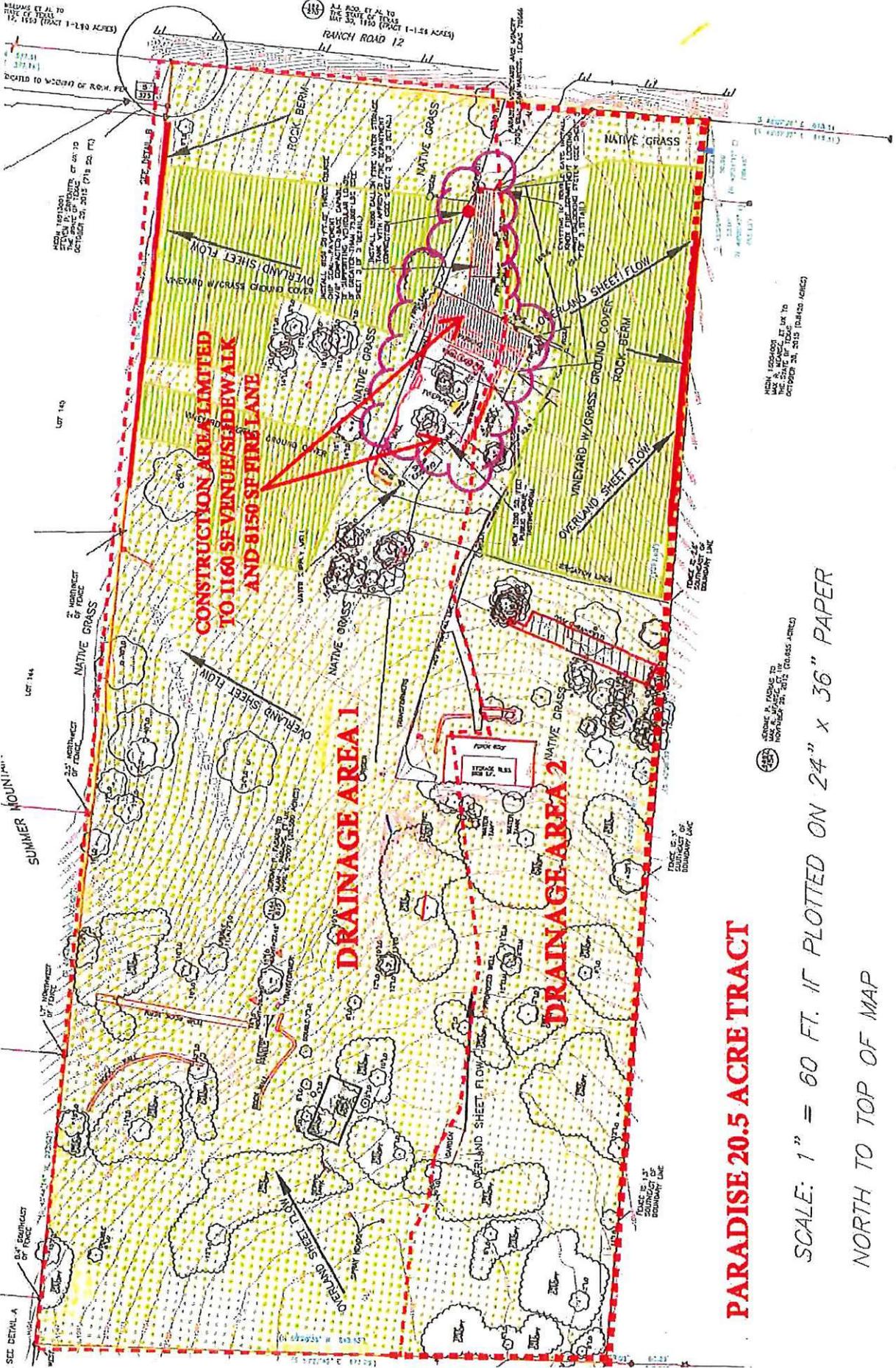
For each activity described, include a description of appropriate temporary control measures and the general timing (or sequence) during the construction process that the measures will be implemented.

Any rainfall/runoff that may occur during the construction phase of the fire lane/parking area and the venue building pad will sheet flow to and over existing grass covered vineyard areas (see attached figure). Also, any rainfall runoff during the construction period that flows through the existing vineyard and grass areas will be contained by existing on-site rock berms (see attached figure). There are no defined water courses or drainages located within the proposed construction areas.

6. Name the receiving water(s) at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project:

N.A. There are no receiving water(s) at or near the small construction sites or located on the 20.5-acre Paradis Vineyard. Any and all discharged water from the construction areas will flow over large grass covered/vineyard areas (i.e., vegetative filters).





**PARADISE 20.5 ACRE TRACT**

SCALE: 1" = 60 FT. IF PLOTTED ON 24" x 36" PAPER  
 NORTH TO TOP OF MAP

SHOW A RECORD  
 MAP TO BE MADE BY  
 THE STATE OF TEXAS  
 OCTOBER 28, 2015 (TRACTS 1-15)

MEASUREMENT TO  
 STATE OF TEXAS  
 15, 1959 (TRACT 1-1.10 ACRES)

AL ROO ET AL TO  
 THE STATE OF TEXAS  
 15, 1959 (TRACT 1-1.24 ACRES)

MEASUREMENT  
 TO BE MADE BY  
 THE STATE OF TEXAS  
 OCTOBER 28, 2015 (TRACTS 1-15)

LOT 140

LOT 144

2" WIDTHWAY  
 OF ROAD

## PROJECT DESCRIPTION

### EXCEPTION REQUEST

**PROJECT NAME:** Paradis Vineyard and Winery, LLC

**PROJECT ADDRESS:** 7585 Ranch Road 12, San Marcos Texas 78666-2429

**APPLICANT:**

**Alan Paradis, Owner**  
**Paradis Vineyard and Winery, LLC**  
**7585 Ranch Road 12**  
**San Marcos Texas 78666-2429**  
**alanjparadis@gmail.com**  
**817/233-6029**

**Project Engineer:**  
**Donald G. Rauschuber and Associates, Inc.**  
**Don Rauschuber, P.E.**  
**P.O. Box 342707**  
**Austin, Texas 78734**  
**dgrwater@dgrainc.com**  
**512/413-9300**

**Nature of Request:**

Paradis Vineyard and Winery, LLC, (“Paradis”) owns and operates an approximate 4-acre vineyard located on a 20.5-acre tract of land (*see Figure 1*) having a physical address of 7585 RR 12, San Marcus, Texas. This property is located over the Edwards Aquifer Recharge Zone.

Current improvements on the property include one (1) single family house and one (1) small winery building that collectively account for less than 1-percent impervious cover on the tract. Commencing in 2024, Paradis is proposing to construct a small public tasting room and a required Hays County Fire Marshall fire lane to access the proposed public tasting room (*see attached drawing*) in the event of a fire. As shown in *Table 1*, the amount of new impervious cover added to the property will only 1.1-percent of the total property area.

Given the foregoing, Mr. Paradis is requesting an exemption to the Water Quality Provisions set forth in TAC Title 30 Part 1 Chapter 213 Subchapter A and B for the following reasons:

- Paradis construction activities only involve minor soil disturbance and stabilization due to the construction of one small tasting room, one sidewalk, and one required fire lane;
- The construction site for the venue and fire lane had been previously disturbed due to former landowner activities; and

