WATER POLLUTION PREVENTION PLAN (WPAP)

HUNTER STONE QUARRY
SEDIMENTATION BASIN

Comal County, Texas
Project No. 1112L-24

Prepared for:
Martin Marietta Materials Southwest, LLC
4949 N. Loop 1604 W., Suite 135
San Antonio, Texas 78249
(210) 208-4000

08/11/25

Prepared by:
Forster Engineering
TBPE # 12385
401 Maricopa Drive
Canyon Lake, Texas 78133
(210) 289-0580

AUGUST 2025

FORSTER ENGINEERING

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Water Pollution Abatement Plan Checklist

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(To be paid via TCEQ FTP site upon administrative approval)

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Section 2.0

EDWARDS AQUIFER APPLICATION COVER PAGE

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

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: Hunter Stone						**2. Regulated Entity No.:** 100212067			
3. Customer Name: Martin Marietta Materials Southwest, LLC						**4. Customer No.:** 606114726			
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):**			22.30
9. Application Fee:	$6,500		**10. Permanent BMP(s):**					Sedimentation Basin	
11. SCS (Linear Ft.):			**12. AST/UST (No. Tanks):**						
13. County:	Comal		**14. Watershed:**					York Creek	

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

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)	__Edwards Aquifer Authority __Barton Springs/ Edwards Aquifer __Hays Trinity __Plum Creek	__Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	__Austin __Buda __Dripping Springs __Kyle __Mountain City __San Marcos __Wimberley __Woodcreek	__Austin __Bee Cave __Pflugerville __Rollingwood __Round Rock __Sunset Valley __West Lake Hills	__Austin __Cedar Park __Florence __Georgetown __Jerrell __Leander __Liberty Hill __Pflugerville __Round Rock

San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	__	1	__	__	__
Region (1 req.)	__	1	__	__	__
County(ies)	__	1	__	__	__
Groundwater Conservation District(s)	__ Edwards Aquifer Authority __Trinity-Glen Rose	1 __Edwards Aquifer Authority	__Kinney	__EAA __Medina	__EAA __Uvalde
City(ies) Jurisdiction	__Castle Hills __Fair Oaks Ranch __Helotes __Hill Country Village __Hollywood Park __San Antonio (SAWS) __Shavano Park	__Bulverde __Fair Oaks Ranch __Garden Ridge __New Braunfels __Schertz	NA	__San Antonio ETJ (SAWS)	NA

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. Ralph Voss Jr., P.E.
Print Name of Customer/Authorized Agent 
Signature of Customer/Authorized Agent Date 08111/25

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):	

Section 3.0

GENERAL INFORMATION FORM

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: Ralph Voss Jr., P.E.

Date: 08/11/25

Signature of Customer/Agent:

Project Information

1. Regulated Entity Name: Hunter Stone Quarry
2. County: Coma l
3. Stream Basin: York Creek (San Marcos River)
4. Groundwater Conservation District (If applicable): Edwards Aquifer Authority
5. Edwards Aquifer Zone:

   [X] Recharge Zone
   [ ] Transition Zone

6. Plan Type:

   [X] WPAP
   [ ] SCS
   [ ] Modification
   [ ] AST
   [ ] UST
   [ ] Exception Request

7. Customer (Applicant):

Contact Person: Leslie Mackay
Entity: Martin Marietta Materials Southwest, LLC
Mailing Address: 4949 N. Loop 1604 W., Suite 135
City, State: San Antonio, TX Zip: 78249
Telephone: (210) 208-4067 FAX: 210-208-4065
Email Address: Leslie.Mackay@martinmarietta.com

8. Agent/Representative (If any):

Contact Person: Ralph Voss Jr., P.E.
Entity: Forster Engineering
Mailing Address: 401 Maricopa Drive
City, State: Canyon Lake, Tx Zip: 78133
Telephone: 210-289-0580 FAX: _____
Email Address: rvoss@forsterengineering.com

9. Project Location:

☐ The project site is located inside the city limits of _____.
☒ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of New Braunfels, Tx.
☐ 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. The entrance to the Hunter Stone Quarry is located on the north side of FM 1102 (Hunter Rd) at 7305 FM 1102, New Braunfels, Tx.

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.

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.
☒ 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. [X] **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:

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

15. Existing project site conditions are noted below:

- [ ] Existing commercial site
- [X] Existing industrial site
- [ ] Existing residential site
- [X] Existing paved and/or unpaved roads
- [ ] Undeveloped (Cleared)
- [ ] Undeveloped (Undisturbed/Uncleared)
- [ ] Other: _____

Prohibited Activities

16. [X] 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. [X] 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:

- [X] 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. [X] 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:

- [X] TCEQ cashier (via TCEQ Epay System)
- [ ] 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)

20. [X] Submit one (1) ~~original and one (1)~~ digital 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. [X] 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.

HUNTER STONE QUARRY
SEDIMENTATION BASIN WPAP

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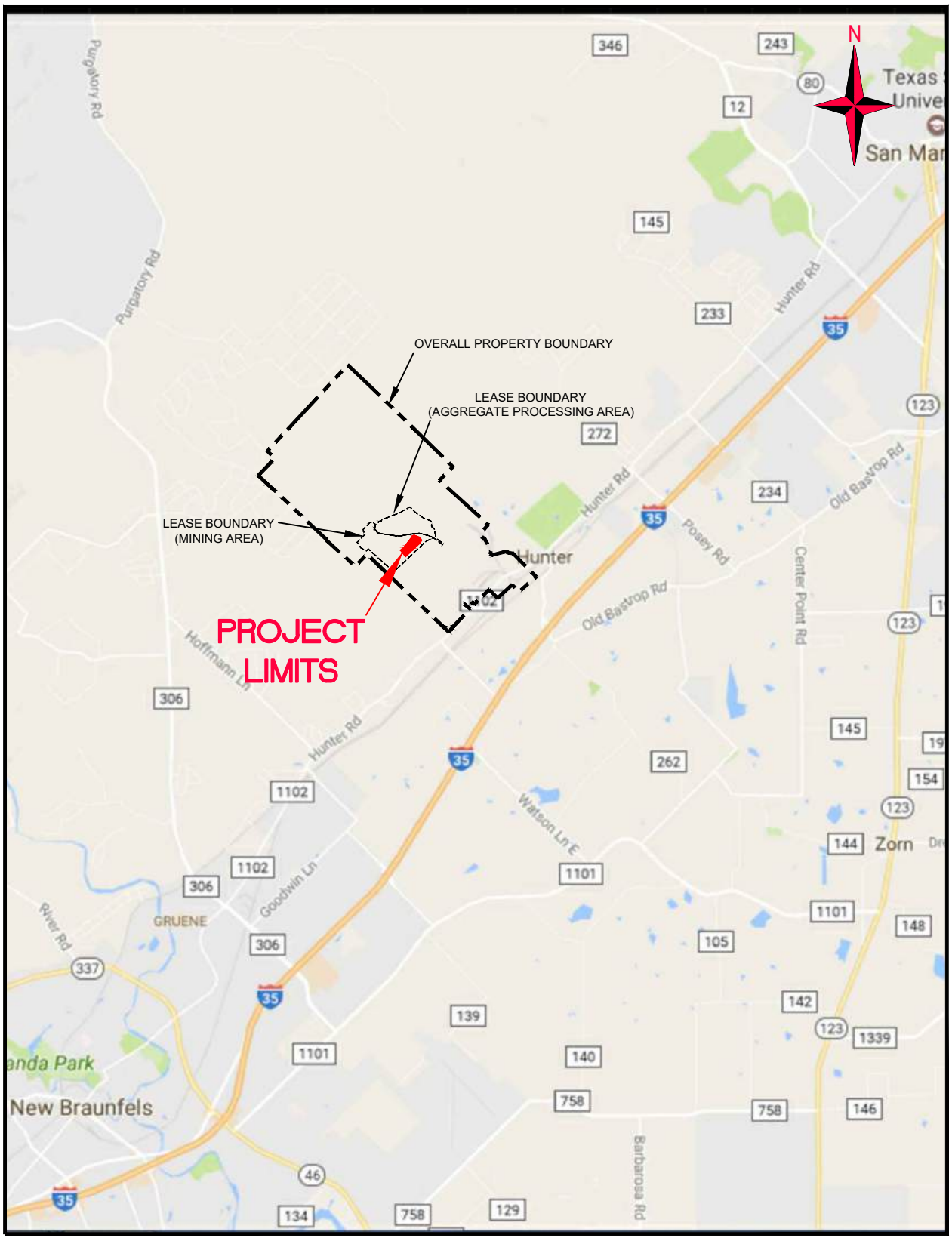


ROAD MAP

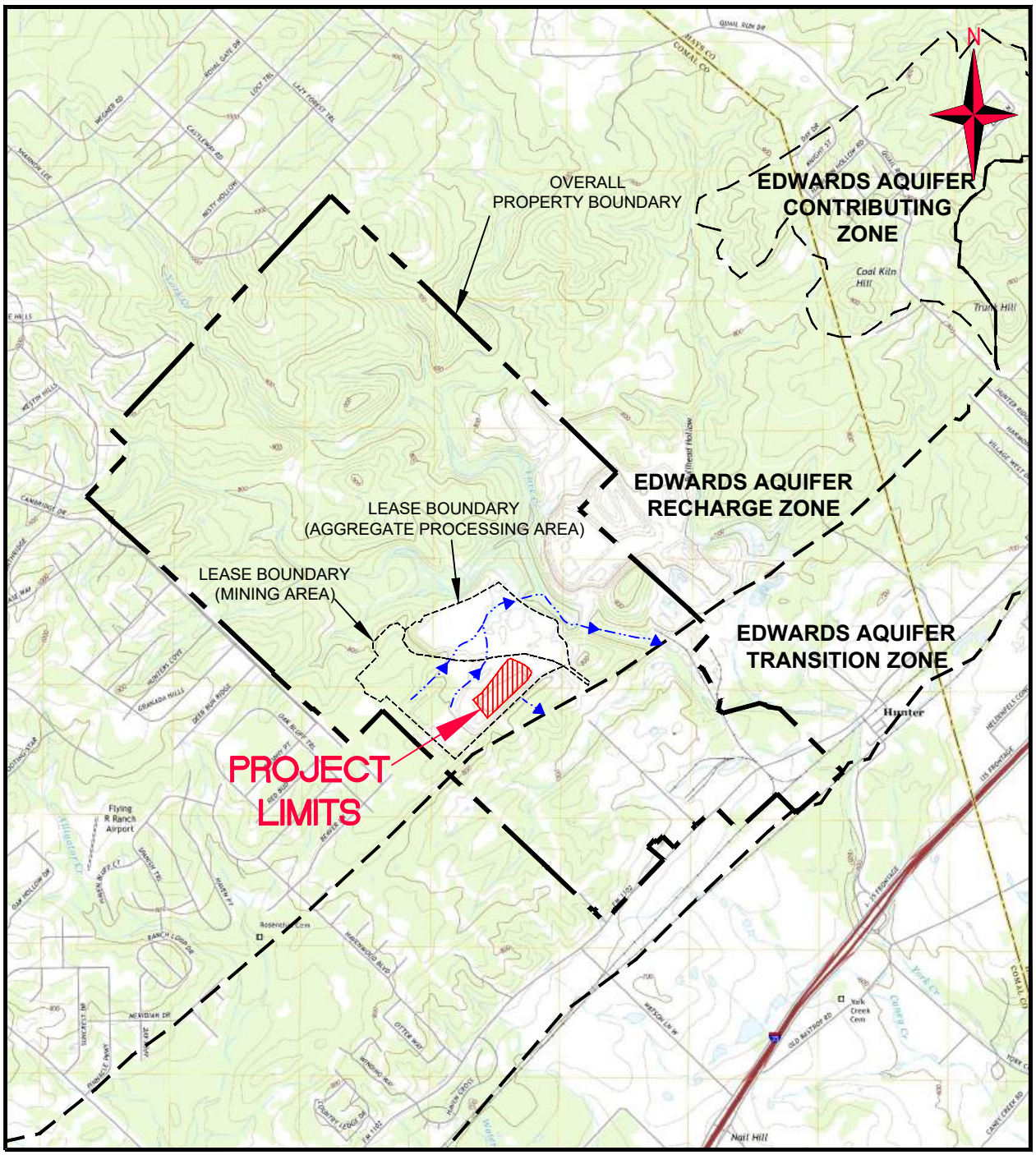
(Base Map: Google Map)

SCALE: 1" = 10,000'

0' 5,000' 10,000' 20,000

HUNTER STONE QUARRY
SEDIMENTATION BASIN WPAP

FORSTER ENGINEERING



USGS/EDWARDS AQUIFER RECHARGE ZONE MAP
(Base Map: USGS Topographic Maps - Hunter, Tx Quadrangle)

LEGEND

EDWARDS AQUIFER
RECHARGE ZONE BOUNDARY

DRAINAGE WAY

SCALE: 1" = 4,000'

0' 2,000' 4,000' 8,000'

GENERAL INFORMATION FORM TCEQ-0587
ATTACHMENT C
PROJECT DESCRIPTION

The Hunter Stone Quarry is located in Comal County at 7305 FM 1102, New Braunfels, Texas as illustrated on Attachment A. This quarry has been in existence since the 1970's and as such, does not currently operate under an existing WPAP. However, Martin Marietta now intends to utilize the Innovative Technology of placing fine materials resulting from the aggregate washing process in a newly constructed sedimentation basin.

The TCEQ guidance Best Management Practices for Quarry Operations RG-500 limits the types of impermeable liners recognized as being effective by TCEQ. It has been demonstrated that the proposed self-sealing settling pond is an equally effective approach for groundwater protection and has been approved for Martin Marietta's Medina Rock and Rail Quarry as noted in TCEQ WPAP approval letter dated November 18, 2019, Martin Marietta's Rio Medina Quarry as noted in TCEQ WPAP approval letter dated November 5, 2020 and Martin Marietta's 211 Quarry as noted in TCEQ WPAP approval letter dated April 19, 2024. This methodology is discussed in detail in the Permanent Storm Water Section of this application.

The proposed sedimentation basin will be located in a previously mined-out section of the quarry. The proposed basin area ("Project Limits") is 22.30 acres as depicted on the survey exhibit and metes & bounds description that follows this Attachment C. The purpose of this WPAP application is solely to alert TCEQ of Martin Marietta's desire to construct said basin.

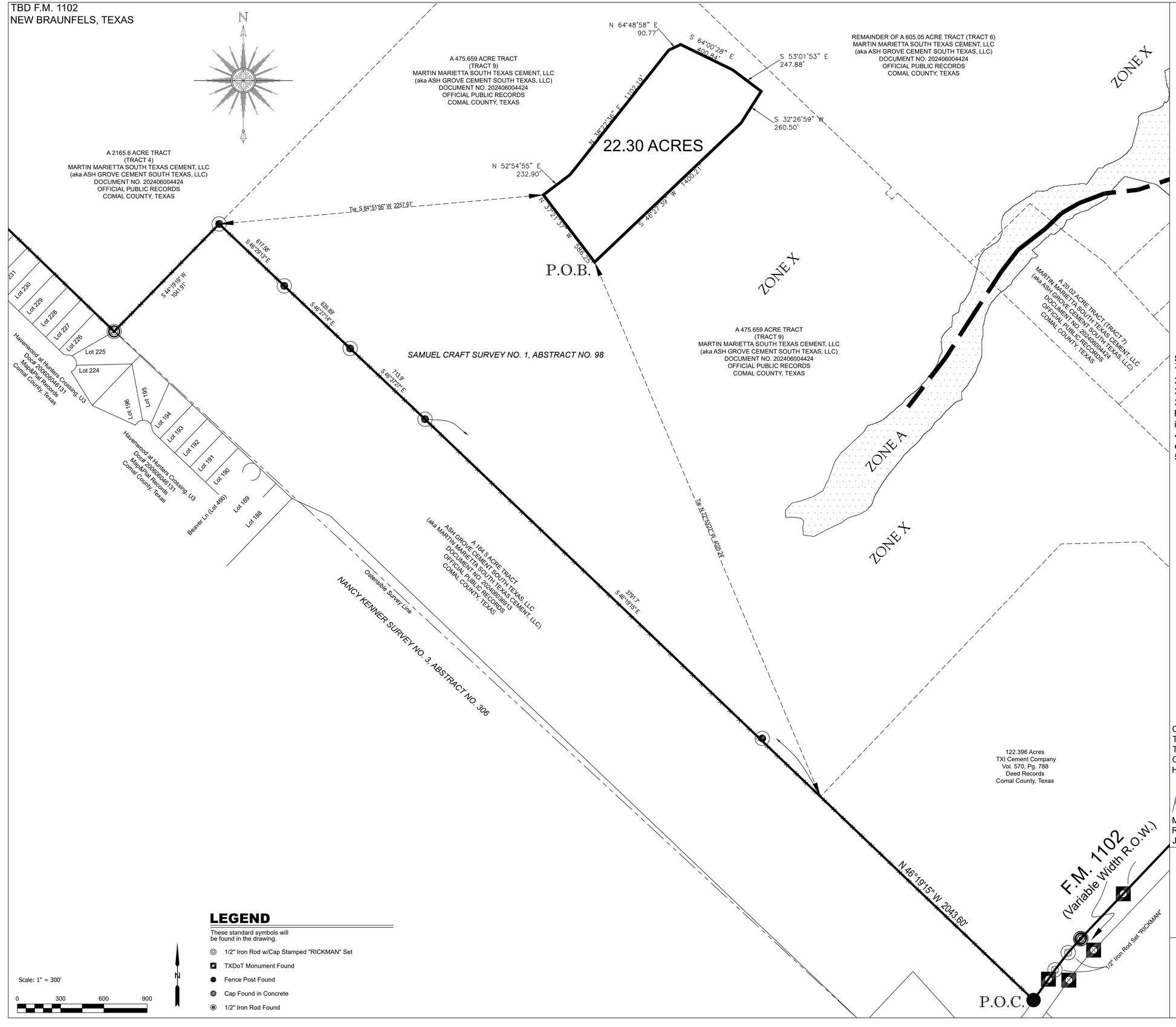
The 22.30 acre Project Limits falls just inside the southern boundary of the Edwards Aquifer Recharge Zone as shown on Exhibit B. Property surrounding the proposed Project Limits consists of existing quarry, undisturbed land and rural homesteads. Martin Marietta is in the process of quarrying limestone aggregate on the site.

Because the proposed sedimentation basin will be located within an existing quarry pit, there will be no additional disturbance or impervious cover generated by this project. All sediment and stormwater will be contained within the pit, and therefore, the pit/sedimentation basin will serve as both the temporary and permanent BMPs. There are no areas to be demolished.

At least 30 days prior to construction of the sedimentation basin, a Geologic Assessment/Grouting report will be submitted to TCEQ for review and approval. This report will also include contour intervals and profile views of the proposed pond.

TBD F.M. 1102
NEW BRAUNFELS, TEXAS

EXHIBIT OF A 22.30 ACRE TRACT OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, AND BEING A PORTION OF A 475.659 ACRE TRACT, CALLED TRACT 9, DESCRIBED IN DEED TO MARTIN MARIETTA SOUTH TEXAS CEMENT, LLC, (AKA ASH GROVE CEMENT SOUTH, LLC), OF RECORD IN DOCUMENT NO. 202406004424, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.



Survey Notes:
1. Bearings Based on NAD83 Texas Central Zone 4203.
2. This exhibit based on Survey of a Called 475.659 Acre Tract Surveyed as part of a 3390.23 Acre Survey by Rickman Land Surveying made on the ground July 11, 2018.
3. According to the Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM) No. 48091C0295F, dated September 02, 2009, this property is located in Other Areas, Zone X; Areas of Minimal Flood Hazard.
4. No Title Commitment was provided to surveyor at time of previous survey or this exhibit.
5. Not all improvements shown.

LEGEND

These standard symbols will be found in the drawing.

- 1/2" Iron Rod w/Cap Stamped "RICKMAN" Set
- TXDoT Monument Found
- Fence Post Found
- Cap Found in Concrete
- 1/2" Iron Rod Found

Scale: 1" = 300'

0 300 600 900

CERTIFICATION:
THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS EXHIBIT REPRESENTS A TRACT ESTABLISHED THIS DATE, FROM A PREVIOUS SURVEY MADE ON THE GROUND ON JULY 11, 2018, BY RICKMAN LAND SURVEYING, LLC, OF THE PROPERTY SHOWN HEREON:

Marion Ruth Bolton,
Registered Professional Land Surveyor No. 4727
Job Number: 25-055-09

8-8-2025

STATE OF TEXAS REGISTERED MARION RUTH BOLTON 4727 PROFESSIONAL LAND SURVEYOR

RICKMAN LAND SURVEYING, LLC
TBPLS FIRM NO. 101919-00
419 BIG BEND
CANYON LAKE, TEXAS 78133
PHONE (830) 935-2457
WWW.RICKMANLANDSURVEYING.COM
cheryl@rickmanlandsurveying.com

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TBPE FIRM #12385
401 Maricopa Drive, Canyon Lake, Texas 78133
Phone: (210) 289 - 0580
www.Forsterengineering.com

FORSTER ENGINEERING

401 Maricopa Drive
Canyon Lake, Texas 78133
rvoss@forsterengineering.com
www.forsterengineering.com
TBPE Firm No. 12385

A 22.30 ACRE TRACT

METES AND BOUNDS DESCRIPTION OF A 22.30 ACRE TRACT OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 475.659 ACRE TRACT, CALLED TRACT 9, DESCRIBED IN DEED TO MARTIN MARIETTA SOUTH TEXAS CEMENT, LLC, (AKA ASH GROVE CEMENT SOUTH, LLC), OF RECORD IN DOCUMENT NO. 202406004424, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BASIS OF BEARING NAD83 STATE PLANE COORDINATES TEXAS NORTH CENTRAL ZONE.) (JOB NO. 25-055-09)

COMMENCING: At a fence post found in the northwest right of way line of Farm to Market Road 1102 (Variable Width Right of Way), for the east corner of a 164.5 Acre Tract described in deed to Ash Grove Cement South Texas, LLC, of record in Document No. 202406036913, Official Public Records, Comal County, Texas, and the south corner of a 122.396 Acre Tract described in deed to TXI Cement Company of record in Volume 570, Page 788, Deed Records, Comal County, Texas, for the **POINT OF COMMENCEMENT**:

THENCE: N 46°19'15" W, 2043.60 feet, departing the northwest right of way line of FM 1102, with the northeast line of the 164.5 Acre Tract and the southwest line of the 122.396 Acre Tract, to a point for the west corner of the 122.396 Acre Tract and a southwest corner of the 475.659 Acre Tract;

THENCE: N 22°53'22" W, 4024.24 feet, departing the northeast line of the 164.5 Acre tract, across the 475.659 Acre Tract, to a point for the south corner of This Tract and the **POINT OF BEGINNING**;

THENCE: Across the 475.659 Acre Tract, with the west, north, east and south lines of the 22.30 Acre Tract, the following calls and distances:

N 37°21'37" W, 586.25 feet to a point for the west corner of This Tract;

N 52°54'55" E, 232.90 feet to a point for an angle point;

N 38°22'36" E, 1102.19 feet to a point for an angle point;

N 64°48'58" E, 90.77 feet to a point for the north corner of This Tract;

S 64°00'28" E, 400.84 feet to a point for an angle point;

S 53°01'53" E, 247.88 feet to a point for the east corner of This Tract;

S 32°26'59" W, 260.50 feet to a point for an angle point;

FORSTER ENGINEERING

401 Maricopa Drive
Canyon Lake, Texas 78133
rvoss@forsterengineering.com
www.forsterengineering.com
TBPE Firm No. 12385

S 46°27'39" W, 1400.21 feet to the **POINT OF BEGINNING** and containing 22.30 Acres in Comal County, Texas, prepared from records and based on a survey on the ground on July 11, 2018, by Rickman Land Surveying, LLC.

Marion Ruth Bolton
Registered Professional Land Surveyor No. 4727

8-8-2025

2.1 Separation from Groundwater in the Recharge Zone

No groundwater is expected to be encountered on site. The proposed sedimentation basin will be located in an existing quarry pit with no additional excavation below the current pit floor proposed.

2.2 Sensitive Features

2.2.2 Setbacks and Buffers for Sensitive Features

There were no geologic features identified as sensitive by the Geological Assessment within the WPAP project limits.

Any geologic features within the proposed project limits will be permanently sealed. The sensitive features will be protected by earthen berms until the feature are sealed.

2.2.3 Sensitive Features Identified in the Geological Assessment

There were no geologic features identified as sensitive by the Geological Assessment within the WPAP project limits.

2.2.4 Sensitive Features Discovered During Quarrying

Sensitive geologic features discovered in the active pit during quarrying operations will be addressed as follows:

1. Sensitive geologic feature recognition training for plant and quarry operators will be conducted. An on-site quarry manager and/or designated employees experienced in feature identification will conduct visual surveys after each blast to ensure adequate identification and reporting of sensitive features. The on-site quarry manager and designated employees will receive annual training prepared by a licensed Professional Geologist on feature identification and protection.
2. The appropriate TCEQ Regional Office will be immediately notified upon discovery of any sensitive features encountered during the quarrying operations. Upon discovery, work in the vicinity of the sensitive feature will stop until after protection for the feature is installed. Sensitive features on quarry benches will be sealed with flowable fill or protected with material berms, which will be maintained on a daily basis if necessary.
3. Sensitive features located on the ultimate quarry floor, which will not be excavated or mined out by further quarry activities, will be sealed with flowable fill before regulated activities near the sensitive feature may proceed. Sensitive features located on the quarry floor of intermediate benches above the ultimate quarry floor, will not be sealed, but will be protected by material berms until

such time as this area of the quarry containing the sensitive feature will be mined.

4. Sensitive features located in the highwalls, which are well above the level of potential water ponding in the quarry pit and unlikely to receive contamination from any other logical or recognized source, will not be sealed.
5. If sensitive features located in the highwalls are below the level of potential water ponding in the quarry pit, or likely to receive contamination from any other logical or recognized source, they will be sealed with flowable fill before regulated activities near the sensitive feature may proceed.
6. Large features may be first filled with gravel or large rocks before placement of flowable fill. A minimum of 18-inches of flowable fill will placed above the gravel or rocks. Flowable fill is to be used to provide a reliable seal throughout the sensitive feature as it's characteristics allow it to flow around and between the gravel and large rocks and conform to irregular limits of a sensitive feature. As structural integrity and bearing capacity is not a design concern in these applications, concrete is not recommended or required.

2.2.5 Inspection and Maintenance of Sensitive Features

Voids, fractures, and permeable beds (not excluding the sidewall) that are rated sensitive by a Professional Geologist will be grouted before process water is introduced into the settling pond.

2.3 Quarry Berms

There are no proposed berms within the proposed project limits.

2.4 Haul Roads, Parking Lots, and Tire Washes

There are no proposed haul roads, parking lots or tire washes within the proposed project limits.

2.5 Stream Crossings and Buffers

No stream crossings will be constructed within the proposed project limits. Because the proposed sedimentation basin will be located below grade in the quarry pit, there will be no surface water runoff. By containing the sediment and solids within the quarry pit (project limits), they will not enter surface streams and/or sensitive features which may exist down-gradient of the pit.

2.6 Dust Control

If necessary, a water truck and/or dust control chemicals will be utilized to control dust in active areas of the proposed project limits.

2.7 Mineral-Exploration Test Holes and Water Wells

Currently, there are no active test/bore holes in the quarry area. Any future test/bore holes in the quarry area will be managed in accordance with 30 TAC 213.7.

There are no wells located within the proposed project limits.

2.8 Vehicle and Equipment Maintenance

Vehicles and equipment will be parked outside the proposed project limits, visually checked on a daily basis when plant is operating, and drip pans will be used to catch drips as needed. Chronic drips will be repaired as soon as practicable. When maintenance must be performed, a plastic liner or disposable base pad will be utilized as secondary containment. Disposal of all used oil, antifreeze, solvents, and other automotive-related chemicals shall be in accordance to manufacturer instructions. These wastes require special handling and disposal. Used oil, antifreeze, and some solvents can be recycled at designated facilities, but other chemicals must be disposed of at a hazardous-waste disposal site.

2.9 Storage and Movement of Petroleum and Fuel

2.9.1 AST Facility Plan

Not applicable.

2.9.2 Fueling Outside the Pit

The Hunter Stone Quarry has an active Spill Prevention Control and Countermeasure (SPCC) plan in accordance with 40 CFR part 112. Heavy equipment is fueled outside the active pit area by mobile fuel trucks in areas where site topography, diversionary structures, and readily available on-site spill response equipment and materials are practical and effective to prevent a discharge of petroleum products from reaching navigable waters at this facility. Secondary containment such as a drain pan shall be used when transferring fuel from the tank truck to the fuel truck. Additionally, wheels on mobile fuel truck and heavy equipment will be chocked while refueling.

2.9.3 Fueling of Equipment in the Pit

Heavy equipment may be fueled in the active quarry pit when fueling outside the pit is not practical. Secondary containment such as a drain pan shall be used when transferring fuel from the tank truck to the fuel truck. Wheels on mobile fuel truck and heavy equipment will be chocked while refueling, and the refueling operation will be continuously monitored by refueling personnel.

2.10 Industrial Facilities on-Site

There are no existing or proposed industrial facilities on site.

2.11 Sanitary Wastewater Disposal

No on-site sewage or domestic project wastewater will be generated within the proposed project limits.

2.11.1 Portable Toilet BMPs

Not applicable. No on-site sewage or domestic project wastewater will be generated within the proposed project limits.

2.12 Spill Prevention and Control

Martin Marietta Materials Southwest, LLC maintains the following required plans and permits onsite which address spill prevention and control and are incorporated herewith by reference.

- Spill Prevention Control and Countermeasure (SPCC) Plan (40CFR Part 112)
- TPDES Storm Water Pollution Prevention Plan

3 BMPs for Areas Discharging to Surface Waters

Because the proposed sedimentation basin will be located below grade in the quarry pit, there will be no surface water runoff. By containing the sediment and solids within the quarry pit (project limits), they will not discharge to surface waters located outside the pit. Therefore, the sedimentation basin itself serves as the primary BMP.

4 BMP Requirements for Areas within Quarry Pits

4.1 Introduction

During the operational life of the proposed sedimentation basin, the pit areas will not drain to surface waters. The primary BMPs for areas within the quarry pit have been previously described and include: watering for dust control; vehicle maintenance to minimize oil drips or leaks, and identification, protection and ultimate sealing of sensitive features discovered during quarrying.

4.2 Permanent Structural BMPs

Because the proposed sedimentation basin will be located below grade in the quarry pit, there will be no surface water runoff. By containing the sediment and solids within the quarry pit (project limits), they will not discharge to surface waters located outside the pit. Therefore, the sedimentation basin itself serves as the primary BMP.

5 Management of Process Water

5.1.1 Dimension-Stone Facilities (and Other Sites with Minor Water Use)

Not applicable to this site.

5.1.2 Innovative Technology for Aggregate-Production Facilities

Process water used to wash aggregates will be directed to the proposed sedimentation basin For sedimentation basins, the TCEQ technical guidance manual RG-500 states an impermeable liner should be provided. TCEQ lists clay or geotextile liners as examples, and further recognizes that other materials (such as shotcrete or concrete) may perform equally well. The methodology proposed for this WPAP includes evaluation of sediment pond locations by a Professional Geologist, and grouting of identified sensitive features prior to introduction of process water. The applicant believes the professionally inspected sediment pond with grouted sensitive features provides equivalent water protection to the examples listed in the guidance manual. This methodology has been approved for Martin Marietta's Medina Rock and Rail Quarry as noted in TCEQ WPAP approval letter dated November 18, 2019, Martin Marietta's Rio Medina Quarry as noted in TCEQ WPAP approval letter dated November 5, 2020 and Martin Marietta's 211 Quarry as noted in TCEQ WPAP approval letter dated April 19, 2024. Discussion of the sediment pond construction and monitoring is provided in Attachment C of the Permanent Section of this WPAP.

Section 4.0

GEOLOGIC ASSESSMENT FORM

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: Roman C. Pineda, P.G.

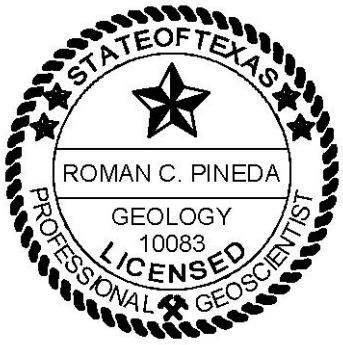
Telephone: (210) 289-0580

Fax: (210) 289-0580

Date: November 24, 2024

Representing: Forster Engineering, TBPE Firm #12385 (Name of Company and TBPG or TBPE registration number)

Signature of Geologist:



Regulated Entity Name: Hunter Stone Quarry

Project Information

1. Date(s) Geologic Assessment was performed: November 14, 2024
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)
Pits (Pt)	D	0-1

** 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" = 200'
   Site Geologic Map Scale: 1" = 200'
   Site Soils Map Scale (if more than 1 soil type): 1" = NA'

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 _____ (#) 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: Hunter Stone Quarry

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)	DOM	DENSITY (NO/FT)	APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY		CATCHMENT AREA (ACRES)		TOPOGRAPHY
						X	Y	Z		10						<40	>40	<1.6	>1.6	
S-1	29°48'36.0"	98°03'09.2"	SC	20	Kep	~1	~6	~8	N44ºW	0			N,C	5	25	25		X		Cliff
S-2	29°48'31.4"	98°03'11.2"	SC	20	Kep	~1	~6	~5	N46ºW	0			N,C	5	25	25		X		Cliff
S-3	29°48'31.4"	98°03'11.2"	SC	20	Kep	~2	~7	~4	N46ºW	0			N,C	5	25	25		X		Cliff

* DATUM: NAD 83

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 understood, 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.

Signature

Date 24-Nov-24

Sheet __1__ of __1__

Attachment A

STATE OF TEXAS
ROMAN C. PINEDA
GEOLOGY
10083
LICENSED
PROFESSIONAL GEOSCIENTIST

TCEQ-0585-Table (Rev. 10-01-04)

HUNTER STONE QUARRY

Stratigraphic Column

(Hydrogeologic subdivisions modified from Maclay and Small (1976); groups, fonnations, and members modified from Rose (1972); lithology modified from Dunham (1962); and porosity type modified from

Hydrogeologic subdivision		Group, formation, or member				Hydrologic function	Thickness (feet)	Lithology	Field Identification	Cavern development	Porosity/permeability type
		Buda Limestone (Kbu)				CU	40-50	Buff, light gray, dense mudstone	Porcelaneous limestone with calcite-filled veins	Minor surface karst	Low porosity/low permeability
		Del Rio Clay (Kdr)				CU	40-50	Blue-green to yellow-brown clay	Fossilferous; *Ilymatogyra arietina*	None	None/primary upper confining unit
	II	*Edwards Aquifer*	*Edwards Group*	*Person Formation (Kep)*	Cyclic and marine members, undivided	AQ	80-90	Mudstone to packstone; *miliolid* grainstone; chert	Thin graded cycles; massive beds to telatively thin beds; crossbeds	Many subsurface; might be associated with earlier karst development	Laterally extensive; both fabric and not fabric/water-yielding
	III				Leached and collapsed members, undivided	AQ	70-90	Crystalline limestone; mudstone to grainstone; chert; collapsed breccia	Bioturbated iron-stained beds separated by massive limestone beds; stromatolitic limestone	Extensive lateral development; large rooms	Majority not fabric/one of the most permeable
	IV				Regional dense member	cu	20-24	Dense, argillaceous mudstone	Wispy iron-oxide stains	Very few; only vertical fracture enlargement	Not fabric/low permeability; vertical barrier
	V			*Kainer Formation (Kek)*	Grainstone member	AQ	50-60	*Miliolid* grainstone; mudstone to wackestonc; chert	White crossbedded grainstone	Few	Not fabric/recrystallization reduces permeability
	VI				Kirschberg evaporite member	AQ	50-60	Highly altered crystalline limestone; chalky mudstone; chert	Boxwork voids, with neospar and travertine frame	Probably extensive cave development	Majority fabricone of the most permeable
	VII				Dolomite member	AQ	110-130	Mudstone to grainstone; crystalline limestone; chert	Massively bedded light gray, *Toucasia* abundant	Caves related to structure or bedding planes	Mostly not fabric; some bedding plane fabric/water-yielding
	VIII				Basal nodular member	Karst AQ; not karst CU	50-60	Shaly, nodular limestone mudstone and miliolid grainstone	Massive, nodular and mottled, *Exogyra texana*	Large lateral caves at surface;a few caves near Cibolo Creek	Fabric; stratigraphically controlled/large conduit now at surface;no permeability in subsurface

(Modified from Small and Hanson, 1994)

ATTACHMENT B

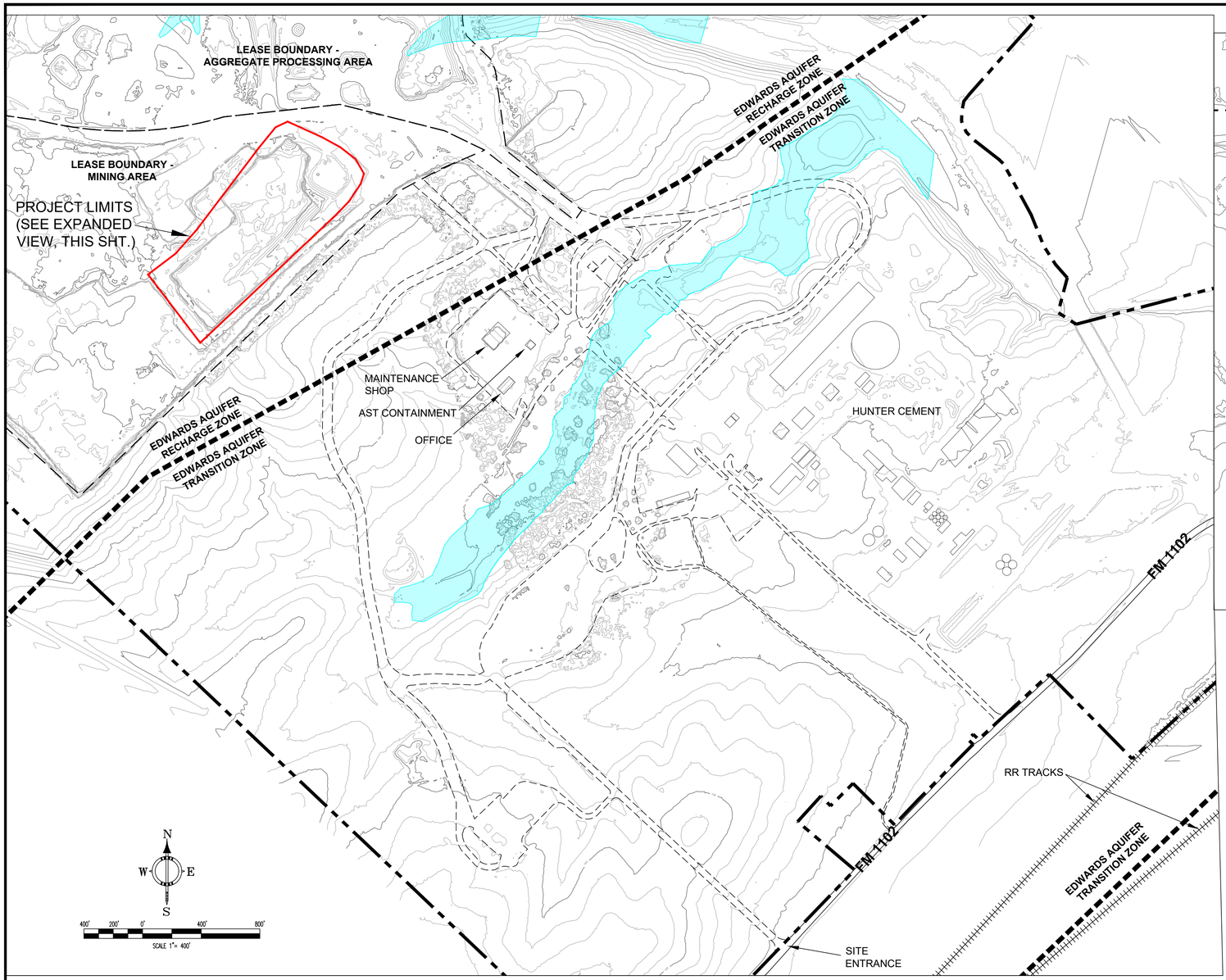
HUNTER STONE QUARRY

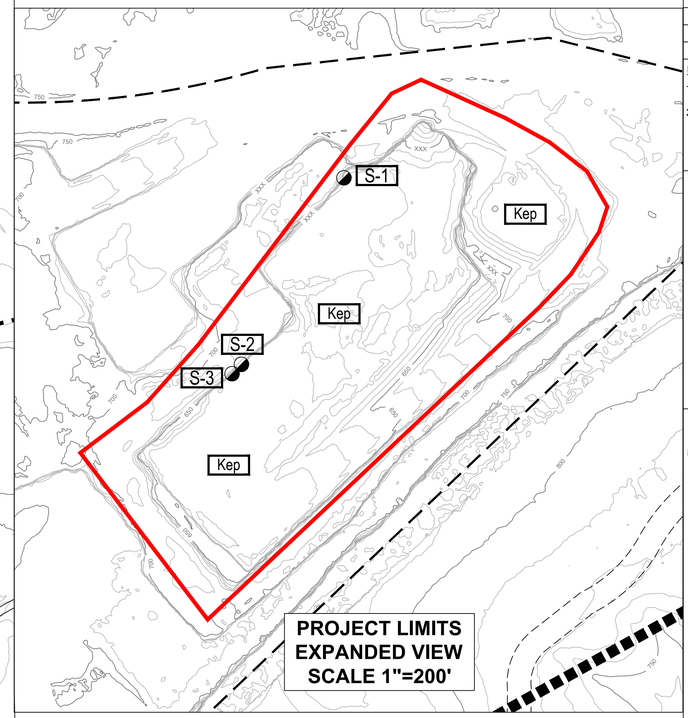
Narrative Description of Site Geology

The overall potential for fluid migration to the Edwards Aquifer on the site is high. The project site lies in a quarry pit within exposed limestone identified as the leached and collapsed members of the Person Formation (Keplc) of the Edwards Group. The dominant trend for the site is N45°E, based on an average of the trends of known faults within the surrounding area, from published maps (Blome et al, 2005).

The leached and collapsed members of the Person Formation (Keplc) are characterized as crystalline limestone, mudstone to grainstone, with chert and bioturbated iron-stained beds. Cavern development is typically extensive lateral development with large rooms. No caves were identified on the site.

FEATURES S-1, S-2 and S-3
All three features are horizontal solution cavities within the quarry highwalls. The solution cavities are located within the highwall between approximately 12ft to 18ft above the quarry floor. Due to safety concerns and quarry safety protocols, the features were evaluated from a safe distance with binoculars. Therefore, feature measurements in Attachment A are approximated based on sight. The three solution cavities are horizontal voids that appear to be discharge features. Although the features are within exposed bedrock with no observable fines, the probability the features will receive infiltration in the vertical highwall is low. Therefore, the probability for rapid infiltration is low.



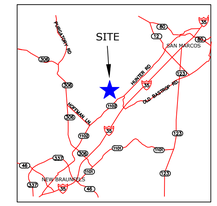


REV. NO.	DESCRIPTION	DATE

Notes:

1. Contour Data From Aerial Photography Dated October 2024.
2. Flood Data: FEMA Flood Insurance Rate Map Number 48091C0295F, effective 09/02/2009..

LOCATION MAP
(NOT TO SCALE)



LEGEND

- OVERALL SITE BOUNDARY
- PROJECT LIMITS
- EARZ BOUNDARY
- EXISTING 10' CONTOURS
- 1050 EXISTING 50' CONTOURS
- 100 YEAR FLOODPLAIN
- Kep PERSON FORMATION
- S-1 FEATURE
- SOLUTION CAVITY

N
W E
S
400' 200' 0' 400' 800'
SCALE 1"= 400'

SIGNATURE/SEAL

STATE OF TEXAS
ROMAN C. PINEDA
GEOLOGY
10083
LICENSED
PROFESSIONAL GEOSCIENTIST

FORSTER ENGINEERING
TBPE firm # 12385
401 MARICOPA DRIVE, CANYON LAKE, TX 78133
PHONE: (210) 2879-0580
WWW.FORSTERENGINEERING.COM

Martin Marietta

PROJECT DESCRIPTION

HUNTER STONE QUARRY
SEDIMENTATION BASIN
WATER POLLUTION ABATEMENT PLAN

DRAWING

SITE GEOLOGIC MAP
(TCEQ-0585)

DATE	11/19/2024	JOB NO.	1112L-24
SCALE	AS SHOWN	DRG NO	ATTACHMENT D
DRAWN BY	RCP		
CHECKED BY	RV		

Date: Nov 26, 2024, 12:58am User ID: roman
File: C:\Users\roman\AppData\Local\Temp\AcPublish_256\36\Hunter Stone QA Base.dwg

HUNTER QUARRY STONE

References

Ashworth, J.B., Jan 1983, Ground-Water Availability of the Lower Cretaceous Formations in the Hill Country of South-Central Texas, Texas Department of Water Resources, rept., 273, 12pp.

Barnes, V.L., 1983, Geologic Atlas of Texas, San Antonio Sheet, Bureau of Economic Geology, The University of Texas at Austin, Texas.

Blome, C.D., Faith, J.R., Pedraza, D.E., Ozuna, G.B., Cole, J.C., Clark, A.K., Small, T.A., and Morris, R.R., 2005, Geologic map of the Edwards aquifer recharge zone, south-central Texas: U.S. Geological Survey – Scientific Investigations Map SIM-2873 scale 1:200,000.

Federal Emergency Management Agency (FEMA), September 2, 2009, Comal County, Texas and Incorporated areas, Flood Insurance Rate Map (FIRM), Panel 48091C0295 F, FEMA, Washington, D.C.

Maclay, R.W., and Small, T.A., 1976, Progress report on the geology of the Edwards Aquifer, San Antonio Area, Texas and Preliminary Interpretation of Borehole Geophysical and Laboratory Data on Carbonate Rocks: U.S. Geol. Survey open file rept., 76-627, 62 pp., 20 figs.

Maclay, R.W., and Small, T.A., 1986, Carbonate Geology and Hydrology of the Edwards Aquifer in the San Antonio area, Texas: Texas Water Development Board Report, 296, 63 pp., 23 figs.

Rose, P.R., 1972, Edwards Group, Surface and Subsurface, Central Texas: Bur. Econ. Geol., Rep of Invest. 74, 198 pp.

Stein, W.G., and Ozuna, G.B., 1995, Geologic Framework and Hydrogeologic Characteristics of the Edwards Aquifer Recharge Zone, Bexar County, Texas: U.S. Geol. Survey, Water – Resources Investigations 95-4030, 8 pp., 2 figs.

Texas Natural Resource Conservation Commission, 1999, Edwards Aquifer Recharge Zone Map, Hunter Quadrangle, TNRCC, San Marcos, Texas.

United States Department of Agriculture, 1984, Soil Survey – Comal and Hays Counties, Texas, USDA.

United States Geologic Survey, 2988, (USGS), Hunter Quadrangle, USGS, Denver, Colorado.

Section 5.0

WATER POLLUTION ABATEMENT PLAN APPLICATION

Water Pollution Abatement Plan Application

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Relating to 30 TAC §213.5(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 **Water Pollution Abatement Plan Application Form** is hereby submitted for TCEQ review and Executive Director approval. The form was prepared by:

Print Name of ~~Customer~~/Agent: Ralph Voss Jr., P.E.

Date: 08/11/25

Signature of ~~Customer~~/Agent:

Regulated Entity Name: Hunter Stone Quarry

Regulated Entity Information

1. The type of project is:

   ☐ Residential: Number of Lots:_____
   ☐ Residential: Number of Living Unit Equivalents:_____
   ☐ Commercial
   ☐ Industrial
   ☒ Other: Quarry

2. Total site acreage (size of property): 22.30(Project/WPAP Limits)

3. Estimated projected population: 15

4. The amount and type of impervious cover expected after construction are shown below:

Table 1 - Impervious Cover Table

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	0	÷ 43,560 =	0
Parking	0	÷ 43,560 =	0
Other paved surfaces	0	÷ 43,560 =	0
Total Impervious Cover	0	÷ 43,560 =	0

Total Impervious Cover 0 **÷ Total Acreage** 22.3 **X 100 =** 0 **% Impervious Cover**

5. [X] **Attachment A - Factors Affecting Surface Water Quality**. A detailed description of all factors that could affect surface water and groundwater quality that addresses ultimate land use is attached.

6. [X] Only inert materials as defined by 30 TAC §330.2 will be used as fill material.

For Road Projects Only

Complete questions 7 - 12 if this application is exclusively for a road project.

7. Type of project:

   [ ] TXDOT road project.
   [ ] County road or roads built to county specifications.
   [ ] City thoroughfare or roads to be dedicated to a municipality.
   [ ] Street or road providing access to private driveways.

8. Type of pavement or road surface to be used:

   [ ] Concrete
   [ ] Asphaltic concrete pavement
   [ ] Other: _____

9. Length of Right of Way (R.O.W.): _____ feet.

   Width of R.O.W.: _____ feet.
   L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

10. Length of pavement area: _____ feet.

    Width of pavement area: _____ feet.
    L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.
    Pavement area _____ acres ÷ R.O.W. area _____ acres x 100 = _____% impervious cover.

11. [ ] A rest stop will be included in this project.

    [ ] A rest stop will not be included in this project.

12. ☐ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

Stormwater to be generated by the Proposed Project

13. ☒ **Attachment B - Volume and Character of Stormwater**. A detailed description of the volume (quantity) and character (quality) of the stormwater runoff which is expected to occur from the proposed project is attached. The estimates of stormwater runoff quality and quantity are based on the area and type of impervious cover. Include the runoff coefficient of the site for both pre-construction and post-construction conditions.

Wastewater to be generated by the Proposed Project

14. The character and volume of wastewater is shown below: NOT APPLICABLE

_____% Domestic	_____Gallons/day
_____% Industrial	_____Gallons/day
_____% Commingled	_____Gallons/day
TOTAL gallons/day _____	

15. Wastewater will be disposed of by:

☐ On-Site Sewage Facility (OSSF/Septic Tank): NOT APPLICABLE

- ☐ **Attachment C - Suitability Letter from Authorized Agent**. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.
- ☐ Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.

☐ Sewage Collection System (Sewer Lines):

- ☐ Private service laterals from the wastewater generating facilities will be connected to an existing SCS.
- ☐ Private service laterals from the wastewater generating facilities will be connected to a proposed SCS.

- ☐ The SCS was previously submitted on_____.
- ☐ The SCS was submitted with this application.
- ☐ The SCS will be submitted at a later date. The owner is aware that the SCS may not be installed prior to Executive Director approval.

☐ The sewage collection system will convey the wastewater to the _____ (name) Treatment Plant. The treatment facility is:

☐ Existing.
☐ Proposed.

16. ☐ All private service laterals will be inspected as required in 30 TAC §213.5. NOT APPLICABLE

Site Plan Requirements

Items 17 – 28 must be included on the Site Plan.

17. ☒ The Site Plan must have a minimum scale of 1" = 400'.

Site Plan Scale: 1" = 200 '.

18. 100-year floodplain boundaries:

☐ Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.
☒ No part of the project site is located within the 100-year floodplain.
The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): FIRM Map PANELS 48091C0285F & 48091C0295F effective 09/02/2009

19. ☒ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, open space, etc. are shown on the plan.

☐ The layout of the development is shown with existing contours at appropriate, but not greater than ten-foot intervals. Finished topographic contours will not differ from the existing topographic configuration and are not shown. Lots, recreation centers, buildings, roads, open space, etc. are shown on the site plan.

20. All known wells (oil, water, unplugged, capped and/or abandoned, test holes, etc.):

☐ There are _____ (#) 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 §76.

☒ There are no wells or test holes of any kind known to exist on the project site.

21. Geologic or manmade features which are on the site:

☐ All sensitive geologic or manmade features identified in the Geologic Assessment are shown and labeled.
☒ No sensitive geologic or manmade features were identified in the Geologic Assessment.
☐ **Attachment D - Exception to the Required Geologic Assessment**. A request and justification for an exception to a portion of the Geologic Assessment is attached.

22. [X] The drainage patterns and approximate slopes anticipated after major grading activities.

23. [X] Areas of soil disturbance and areas which will not be disturbed.

24. [X] Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.

N/A

25. [ ] Locations where soil stabilization practices are expected to occur.

26. [ ] Surface waters (including wetlands).

    [X] N/A

27. [ ] Locations where stormwater discharges to surface water or sensitive features are to occur.

    [X] There will be no discharges to surface water or sensitive features.

28. [X] Legal boundaries of the site are shown.

Administrative Information

29. [X] 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.

30. [X] Any modification of this WPAP will require Executive Director approval, prior to construction, and may require submission of a revised application, with appropriate fees.

WPAP APPLICATION FORM TCEQ-0584
ATTACHMENT A
FACTORS AFFECTING WATER QUALITY

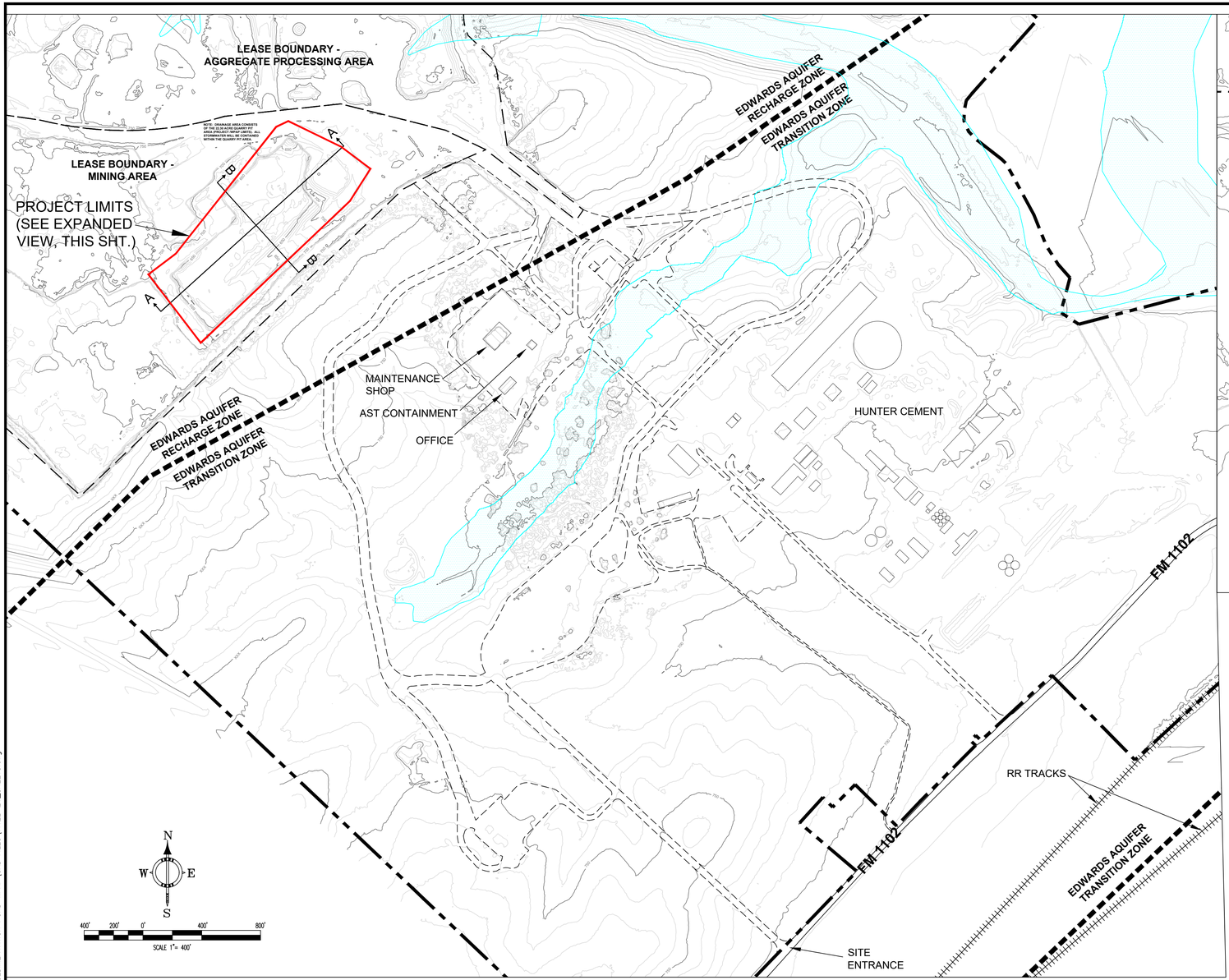
Because the sedimentation basin will be located below grade in a previously mined quarry pit floor, there will be no runoff which could affect surface water. Potential sources of pollution that could affect groundwater quality include:

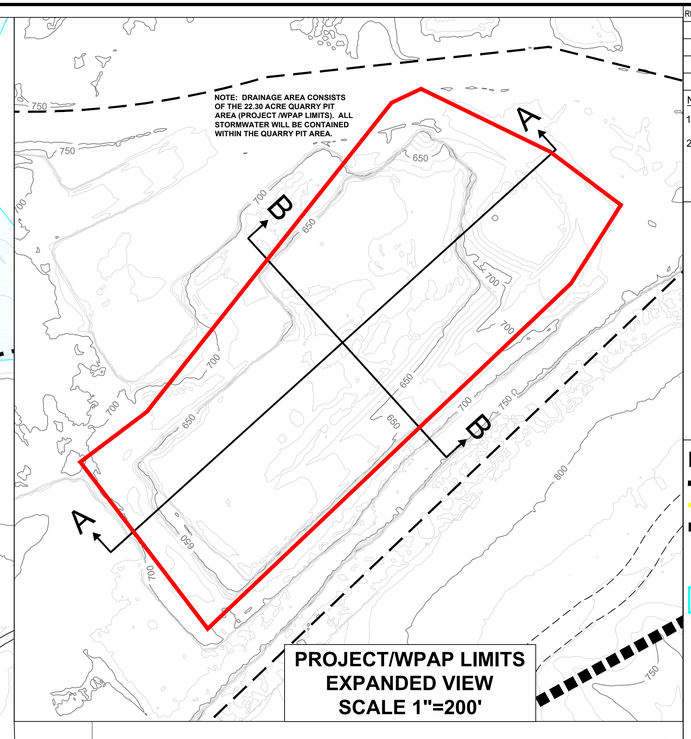
- Migration of silt and clay particles mobilized during rain events through bedrock fractures;
- Migration of silt and clay particles from the sediment basin;
- Oil, grease, fuel and hydraulic fluid contamination from construction equipment;
- Miscellaneous trash and litter from construction workers.

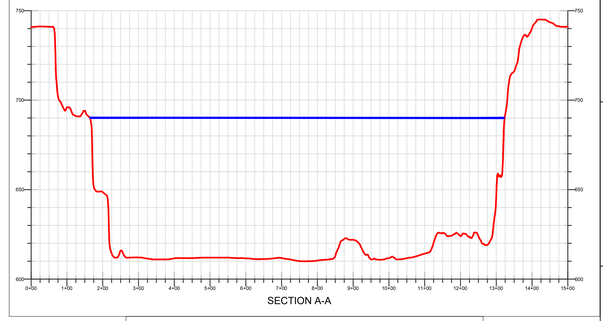
WPAP APPLICATION FORM TCEQ-0584
ATTACHMENT B
VOLUME AND CHARACTER OF STORM WATER

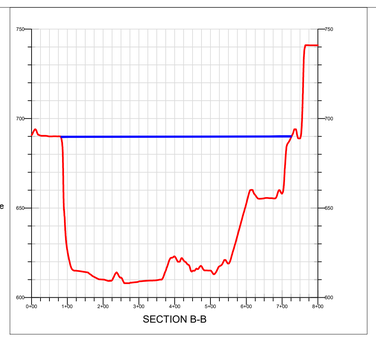
Because the sedimentation basin will be located below grade in an existing quarry floor, there will be no runoff which could affect surface water. By containing the sediment and solids within the quarry pit (project limits), they will not enter surface streams and/or sensitive features which may exist down-gradient of the pit.

Since the quarry pit is existing, the runoff coefficient within the pit (project limits) both before and after construction of the sedimentation basin is estimated to be approximately 0.75. However, this overall runoff coefficient is heavily weighted by conditions within the excavated quarry pit and no runoff will occur from the pit itself. Thus, locating the basin within the quarry pit, which is the subject of this application request, will not affect the current runoff coefficient inside or outside the pit (project limits).







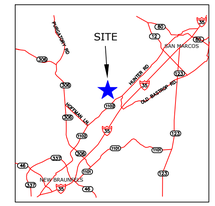


REV. NO.	DESCRIPTION	DATE
1	NOD1 REVISION	03/25/24

Notes:

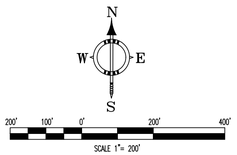
1. Contour Data From Aerial Photography Dated October 2024.
2. Flood Data: FEMA Flood Insurance Rate Map Number 48091C0295F, effective 09/02/2009..

LOCATION MAP
(NOT TO SCALE)

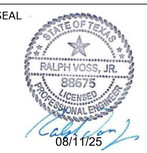


LEGEND

- OVERALL SITE BOUNDARY
- PROJECT LIMITS
- EARZ BOUNDARY
- EXISTING 10' CONTOURS
- EXISTING 50' CONTOURS
- 100 YEAR FLOODPLAIN



SIGNATURE/SEAL



FORSTER ENGINEERING
TBPE firm # 12385
401 MARICOPA DRIVE, CANYON LAKE, TX 78133
PHONE: (210) 2879-0580
WWW.FORSTERENGINEERING.COM

Martin Marietta

PROJECT DESCRIPTION

HUNTER STONE QUARRY
SEDIMENTATION BASIN
WATER POLLUTION ABATEMENT PLAN

DRAWING

SITE PLAN (TCEQ-0584)
ATTACHMENT G (TCEQ-0602)
PERMANENT STORM WATER PLAN (TCEQ-0600)

DATE	08/11/2025	JOB NO.	1112L-24
SCALE	AS SHOWN	DRG NO	
DRAWN BY	RV		EXHIBIT 1
CHECKED BY	CPF		

CONSTRUCTION NOTES

1. Written construction notification must be given to the appropriate TCEQ regional office no later than 48 hours prior to commencement of the regulated activity. Information must include the date on which the regulated activity will commence, the name of the approved plan for the regulated activity, and the name of the prime contractor and the name and telephone number of the contact person.
2. All contractors conducting regulated activities associated with this project must be provided with complete copies of the approved Water Pollution Abatement Plan and the TCEQ letter indicating the specific conditions of its approval. During the course of these regulated activities, the contractors are required to keep on-site copies of the approved plan and approval letter.
3. If any sensitive feature is discovered during construction, all regulated activities near the sensitive feature must be suspended immediately. The appropriate TCEQ regional office must be immediately notified of any sensitive features encountered during construction. The regulated activities near the sensitive feature may not proceed until the TCEQ has reviewed and approved the methods proposed to protect the sensitive feature and the Edwards Aquifer from any potentially adverse impacts to water quality.
4. No temporary aboveground hydrocarbon and hazardous substance storage tank system is installed within 150 feet of a domestic, industrial, irrigation, or public water supply well, or other sensitive feature.
5. Prior to commencement of construction, all temporary erosion and sedimentation (E&S) control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. Controls specified in the temporary storm water section of the approved Edwards Aquifer Protection Plan are required during construction. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. The controls must remain in place until disturbed areas are revegetated and the areas have become permanently stabilized.
6. 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).
7. Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50%. A permanent stake must be provided that can indicate when the sediment occupies 50% of the basin volume.
8. 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).
9. All spoils (excavated material) generated from the project site must be stored on-site with proper E&S controls. For storage or disposal of spoils at another site on the Edwards Aquifer Recharge Zone, the owner of the site must receive approval of a water pollution abatement plan for the placement of fill material or mass grading prior to the placement of spoils at the other site.
10. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.
11. The following records shall be maintained and made available to the TCEQ upon request: 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.
12. The holder of any approved Edward Aquifer protection plan must notify the appropriate regional office in writing and obtain approval from the executive director prior to initiating any of the following:
    - A. any physical or operational modification of any water pollution abatement structure(s), including but not limited to ponds, dams, berms, sewage treatment plants, and diversionary structures;
    - B. any change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;
    - C. any development of land previously identified as undeveloped in the original water pollution abatement plan.

Austin Regional Office
12100 Park 35 Circle, Bldg A, Rm 179
Austin, Texas 78753
Phone (512) 339-2929
Fax (512) 339-3795

San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
Phone (210) 490-3096
Fax (210) 545-4329

Date: Aug 11, 2025, 1:48pm User ID: Ralph Voss
File: C:\Users\Ralph Voss\Documents\Forster Engineering (RV)\1112L-24 HUNTER STONE SEDIMENTATION POND WPAP\CAD FILES\1112L-24_SHEETS.dwg

Section 6.0

TEMPORARY STORM WATER SECTION

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: Ralph Voss Jr., P.E.

Date: 08/11/25

Signature of ~~Customer~~/Agent:

Regulated Entity Name: Hunter Stone Quarry

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: _____

   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. (Within Project Limits)

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.

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.

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.

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: York Creek (San Marcos River)

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:

[X] 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.

[X] 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.

[X] A description of how BMPs and measures will prevent pollutants from entering surface streams, sensitive features, or the aquifer.

[X] 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. [X] 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.

   [X] There will be no temporary sealing of naturally-occurring sensitive features on the site.

9. [X] **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. [X] **Attachment G - Drainage Area Map**. A drainage area map supporting the following requirements is attached:

    [ ] 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.

(No new disturbance is associated with this project. There is one drainage area that consists of the 22.30 acre project limits as shown on Section 5, Exhibit 1 Site Plan)

[X] 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.

    [X] N/A

12. [X] **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.

13. [X] 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.

14. [X] 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).

15. [X] 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.

16. [X] 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).

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. [X] **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.

18. [X] 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. [X] Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

Administrative Information

20. [X] All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.

21. [X] 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. [X] 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.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT A
SPILL RESPONSE ACTIONS

In the event of accidental spills of hazardous materials or hydrocarbons, the following actions will be taken as necessary:

1. In the event of a spill, appropriate actions shall be taken to contain the spill using all available means including absorbent and/or adsorbent materials and readily available mobile equipment. Absorbent and/or adsorbent materials are kept in a readily available location. In the event of an uncontained discharge, available facility equipment shall immediately construct a containment berm down gradient from the discharge and absorb and/or adsorb the discharged material with sand, screenings, and/or other available fines that are on hand. This material shall be properly disposed of in accordance with applicable local, state and federal environmental regulations.

2. After containing the discharge, all media (soil, water, etc.) that came into contact with oil will be collected and stored in such a way that will not continue to affect additional media. Examples of proper materials to use for cleanup include adsorbents and/or absorbents such as: aggregates fines, sand, absorbent pads, booms, socks, etc. Proper cleanup will be deemed complete when all the applicable response requirements are met on all local, state and/or federal levels.

3. Materials that have come into contact with the discharged fluids shall be placed in a temporary staging area until proper methods of disposal can be determined. To prevent additional contamination, impacted materials will be stored on plastic sheets until removal. Plastic sheets will also be used to cover the materials to mitigate contact with rainfall and wind. Sampling of impacted media may be required prior to determining a proper method of disposal. Determining a proper method of disposal will take into consideration all local, state and federal environmental regulatory requirements.

4. In the event of a leak from a tank or piping, as much of the discharge as possible shall be collected manually and stored in an appropriate container until proper disposal or reuse. Immediate action shall be taken to stop or minimize the leak rate. The remaining product in the containment area shall be cleaned up and properly disposed.

5. In the event of a tank, hose or piping failure, arrangements shall be made to empty the tank to a safe level by immediately filling all mobile equipment on the job. The products remaining in the containment shall be handled as previously described.

6. In the event of a fire, the local fire authority shall be contacted immediately.

The following reporting procedures will be implemented after an oil/fuel discharge (of any size) has occurred.

1. Immediately contact the Plant Manager to report the discharge:

Quarry Plant Manager	Pat Kinser
Office Phone Number	(830) 632-2371
Mobile Phone Number:	(210) 240-7439
Fax Number:	N/A
Environmental Contact	Jessica Bateman
Office Phone Number:	(210) 208-4269
Fax Number:	(210) 208-4065
Mobile Phone Number:	(210) 324-9342

2. Based on the size, nature, and circumstances of the discharge, the Plant Manager shall contact the Environmental Contact who will notify the appropriate regulatory authorities. In addition, federal SPCC regulations require that any discharge with the potential of reaching a navigable waterway in harmful quantities, as defined in 40 CFR 110.3, be immediately reported to the National Response Center (NRC).

   - Any discharge greater than 42 U.S. gallons in volume must be immediately reported to the NRC.

National Response Center:	(800) 424-8802
U.S. EPA, Region 6:	(214) 655-2222

3. Texas State Regulations require that a spill or accidental discharge equal to or greater than the Reportable Quantities listed in Title 30 TAC §327.4 be reported immediately to the TCEQ within 24 hours after the discovery of the spill or discharge. The reportable quantities are listed below:

   - For petroleum product or used oil discharged to land – 25 gallons
   - For petroleum product or used oil discharged to waters in the state – quantity sufficient to cause a sheen

State Emergency Response Center:	(800) 832-8224 (24 hour)
TCEQ Spill Reporting Hotline:	(512) 463-7727 (24 hour)
TCEQ Region 13:	(210) 490-3096 (8am – 5pm)
Edwards Aquifer Authority:	(210) 222-2204

4. If a discharge is too large for facility personnel to handle or the release occurred within a secondary containment structure, the following entity may be contracted to remove oil and oily waste from the facility:

Gruene Environmental Company	(830) 626-7575

5. Pursuant to Texas regulations, the facility must also submit written information, such as a letter, describing the details of the discharge or spill and supporting the adequacy

of the response action, to the appropriate TCEQ regional manager within 30 working days of the discovery of the reportable discharge spill. The written response must document the requirements outlined in 30 TAC §327.5(c).

Regional Director
TCEQ Region 13 Office
14250 Judson Road
San Antonio, TX 78233-4480

6. Transformers located at the facility are the property of Martin Marietta. However, there are no transformers located within the project limits of this application.

DETAILED DISCHARGE REPORT FORM

Reporter's Name and Date: _____

Location of Discharge: _____

Date and Time Discharge Occurred: _____

Material and Amount Discharged: _____

Source of the Release: _____

Cause and Circumstances of Release: _____

Countermeasures to Contain and Clean-up Discharge: _____

_____

_____

_____

_____

Personnel/Agency Contacted Regarding Discharge Procedures: _____

_____

_____

Corrective Actions Implemented to Prevent Recurrence of Discharge: _____

_____

_____

_____

_____

Discharge Report Sent To: _____

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT B
POTENTIAL SOURCES OF CONTAMINATION

Potential sources of contamination during operations and preventative measures include the following:

Potential Source – Oil, grease, fuel and hydraulic fluid contamination from equipment and vehicle dripping.
Preventative Measure –Vehicles and equipment will be parked in designated locations, visually checked on a daily basis, and drip pans will be used to catch drips as needed. Chronic drips will be repaired as soon as practicable. When maintenance must be performed, a plastic liner or disposable base pad will be utilized as secondary containment.

Potential Source – Miscellaneous trash and litter from quarry workers.
Preventive Measure – Trash containers will be placed throughout the site to encourage proper trash disposal.

Potential Source - Accidental leaks or spills of oil, petroleum products, or hazardous substances, which are used or stored temporarily on site.
Preventative Measures – Quarry Operator shall incorporate discussions of spill prevention and response actions into annual SPCC training; proper spill prevention and control measures will be adhered to strictly; oil, petroleum products, or hazardous substances will be properly stored, and spill cleanup materials will be stored and readily accessible on site.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
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) including an estimate of the total area of the site to be disturbed by each activity is as follows:

There is no new disturbance associated with this project as all activity will take place within the existing quarry pit area as shown on Section 5 Exhibit 1, Site Plan.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT D
TEMPORARY BEST MANAGEMENT PRACTICES AND MEASURES

No groundwater is expected to be encountered within the project limits. Because the sedimentation basin will be located in a previously mined quarry pit, there will be no runoff which could affect surface water. Further, by containing the sediment and solids within the quarry pit (project limits), the pollutants will not enter surface streams and/or sensitive features which may exist down-gradient of the site.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT F
STRUCTURAL PRACTICES

Because the sedimentation basin will be located in a previously mined quarry pit, there will be no runoff which could affect surface water. Further, by containing the sediment and solids within the quarry pit (project limits), the pollutants will not enter surface streams and/or sensitive features which may exist down-gradient of the site. In this case, the quarry pit itself serves as the Temporary BMP.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT G
TEMPORARY STORM WATER PLAN/DRAINAGE AREA MAP

(SEE EXHIBIT 1, SECTION 5.0)

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT I
INSPECTION AND MAINTENANCE FOR BMPS

The Hunter Stone Quarry is authorized to discharge storm water under the TPDES General Permit No. TXR050000 for industrial activities. Requirements of the general permit include maintaining a Storm Water Pollution Prevention Plan, which includes provisions for inspections of storm water best management practices and sampling of storm water discharged from the site. Inspections will be conducted in accordance with the Storm Water Pollution Prevention Plan, which is incorporated herewith by reference. However, as previously stated, the sedimentation basin will be located below grade in a previously mined quarry pit and represents the project limits for this application. Therefore, the quarry pit itself serves as the sole TBMP and no stormwater or pollutants will be discharged from the pit.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT J
SCHEDULE OF INTERIM AND PERMANENT SOIL STABILIZATION

Conventional stabilization measures are not applicable in a quarry operation, in particular, in relation to a quarry pit. Interim stabilization will consist of native bedrock excavation. Ultimate final stabilization of the pit will be removal or compaction of loose rock resulting in a permanent native bedrock floor.

TEMPORARY STORMWATER SECTION FORM TCEQ-0602
ATTACHMENT J (CONTINUED)
SCHEDULE OF INTERIM AND PERMANENT SOIL STABILIZATION

PROJECT MILESTONE DATES

Date when major site grading activities begin:

Construction Activity	**Date**

Dates when construction activities temporarily or permanently cease on all or a portion of the project:

Construction Activity	**Date**

Dates when stabilization measures are initiated:

Stabilization Activity	**Date**

Section 7.0

PERMANENT STORM WATER SECTION

Permanent 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)(C), (D)(Ii), (E), and (5), 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 **Permanent Stormwater Section** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Print Name of Customer/Agent: Ralph Voss Jr., P.E.

Date: 08/11/25

Signature of ~~Customer~~/Agent

Regulated Entity Name: Hunter Stone Quarry

Permanent Best Management Practices (BMPs)

Permanent best management practices and measures that will be used during and after construction is completed.

1. ☐ Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

   ☒ N/A

2. ☐ These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.

   ☐ The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.

☐ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: _____

☒ N/A

3. ☐ Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

   ☒ N/A

4. Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

   ☐ The site will be used for low density single-family residential development and has 20% or less impervious cover.
   ☐ The site will be used for low density single-family residential development but has more than 20% impervious cover.
   ☒ The site will not be used for low density single-family residential development.

5. The executive director may waive the requirement for other permanent BMPs for multi-family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

   ☐ **Attachment A - 20% or Less Impervious Cover Waiver**. The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.
   ☐ The site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.
   ☒ The site will not be used for multi-family residential developments, schools, or small business sites.

6. ☒ **Attachment B - BMPs for Upgradient Stormwater**.

- [X] A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.
- [ ] No surface water, groundwater or stormwater originates upgradient from the site and flows across the site, and an explanation is attached.
- [ ] Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.

7. [X] **Attachment C - BMPs for On-site Stormwater**.

   - [X] A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.
   - [ ] Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.

8. [X] **Attachment D - BMPs for Surface Streams**. A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is attached. Each feature identified in the Geologic Assessment as sensitive has been addressed.

   - [ ] N/A

9. [X] The applicant understands that to the extent practicable, BMPs and measures must maintain flow to naturally occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction.

   - [ ] The permanent sealing of or diversion of flow from a naturally-occurring sensitive feature that accepts recharge to the Edwards Aquifer as a permanent pollution abatement measure has not been proposed.
   - [X] **Attachment E - Request to Seal Features**. A request to seal a naturally-occurring sensitive feature, that includes, for each feature, a justification as to why no reasonable and practicable alternative exists, is attached.

10. [X] **Attachment F - Construction Plans**. All construction plans and design calculations for the proposed permanent BMP(s) and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. The plans are attached and, if applicable include:

    - [ ] Design calculations (TSS removal calculations)
    - [X] TCEQ construction notes
    - [X] All geologic features
    - [ ] All proposed structural BMP(s) plans and specifications

    - [ ] N/A

11. ☐ **Attachment G - Inspection, Maintenance, Repair and Retrofit Plan**. A plan for the inspection, maintenance, repairs, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan includes all of the following:

    ☐ Prepared and certified by the engineer designing the permanent BMPs and measures
    ☐ Signed by the owner or responsible party
    ☐ Procedures for documenting inspections, maintenance, repairs, and, if necessary retrofit
    ☐ A discussion of record keeping procedures

    ☒ N/A

12. ☐ **Attachment H - Pilot-Scale Field Testing Plan**. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

    ☒ N/A

13. ☒ **Attachment I -Measures for Minimizing Surface Stream Contamination**. A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that results in water quality degradation.

    ☐ N/A

Responsibility for Maintenance of Permanent BMP(s)

Responsibility for maintenance of best management practices and measures after construction is complete.

14. ☐ The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

    ☒ N/A

15. ☒ A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

    ☐ N/A

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT B
BMPS FOR UPGRADIENT STORM WATER

A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is provided below.

No groundwater is expected to be encountered within the project limits. Because the sedimentation basin will be located in a previously mined quarry pit floor, there will be no runoff which could affect surface water.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT C
BMPS FOR ON-SITE STORM WATER

A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is provided below.

No groundwater is expected to be encountered within the project limits. Because the sedimentation basin will be located in a previously mined quarry pit, there will be no runoff which could affect surface water. Further, by containing the sediment and solids within the quarry pit (project limits), the pollutants will not enter surface streams and/or sensitive features which may exist down-gradient of the site

As mentioned previously, Martin Marietta proposes to place fine materials resulting from the aggregate washing process in the proposed sedimentation basin. The sedimentation basin will be located in a mined-out section of the quarry as shown on the Permanent Storm Water Plan (Attachment F, this section).

The TCEQ guidance Best Management Practices for Quarry Operations RG-500 limits the types of impermeable liners recognized as being effective by TCEQ. It has been demonstrated that the proposed self-sealing settling pond is an equally effective approach for groundwater protection and has been approved for Martin Marietta's Medina Rock and Rail Quarry as noted in TCEQ WPAP approval letter dated November 18, 2019, Martin Marietta's Rio Medina Quarry as noted in TCEQ WPAP approval letter dated November 5, 2020 and Martin Marietta's 211 Quarry as noted in TCEQ WPAP approval letter dated April 19, 2024. Following is a more detailed discussion of this previously approved methodology.

To date, TCEQ has only formally listed types of impermeable liners in its technical guidance RG-500. In 2019 a pilot-scale field testing plan was conducted by Martin Marietta at their Medina Rock and Rail Quarry that successfully demonstrated that grouting sensitive features identified by a Professional Geologist within a settling pond area and allowing the pond to "self-seal" with fines (washed limestone and clay particles from wash plant process water) is an equally effective, innovative approach for groundwater protection. As an adjunct to this previously approved process, Martin Marietta proposes to amplify the effectiveness of this system by "pre-sealing" the proposed sedimentation basin by lining the basin with

concentrated fines or slurry prior to introducing the process water. Initially lining the basin with collected fines is believed to reduce initial infiltration and improve water savings.

Dense limestone beds are prevalent in the project area. However, sensitive karst features may be present which could potentially allow infiltration of process water. These features will be identified by a Professional Geologist and grouted prior to introduction of process water into a sediment pond area.

Technical justification for this methodology of inspection and grouting sensitive features in sediment ponds is based on over 80 years of active quarry operations activities over the recharge zone. During this historical period, quarry operations, including many over the recharge zone, have utilized unlined sediment ponds located within mined-out portions of the quarry to gravity separate fine materials and recycle water as part of the standard quarry operating procedure. Even without inspection and grouting, these sediment ponds have been shown to effectively hold water and pond fines without adverse effects to the Edwards Aquifer quality. As mentioned above, this method was successfully implemented in 2019 at Martin Marietta's Rock and Rail Quarry and was approved by TCEQ as a viable alternative to conventional clay liners.

CONSTRUCTION SEQUENCE

The sequence of construction for the sediment pond is as follows:

- Complete quarry excavation to final pit floor.
- Remove loose material in the quarry floor in the proposed sediment pond area.
- Conduct detailed geologic assessment of the quarry floor in the proposed sediment pond area to identify karst features with conduit potential to the underlying ground water. Geologic assessment may include use of drone obtained photographs to evaluate geologic conditions of inaccessible highwall areas.
- Voids, fractures, and permeable beds (not excluding the sidewall) that are rated sensitive by a Professional Geologist will be grouted before process water is introduced into the settling pond.
- The specific location of each grout application for protection of sensitive features will be documented and maintained.
- Collected fines will be placed on pond floor to "pre-seal" pond area.
- Berms may be constructed to subdivide the pond into smaller units or cells, and clay or base material may be placed and compacted on the sediment pond floor.
- A water line from the wash-plant to the sediment pond area is constructed to transport and discharge the fines into the sediment pond.
- A pump is placed in the sediment pond to recover and recycle water.
- Other than the berms discussed above, no materials other than washed fine limestone particles and clays will be placed in the sediment ponds.

A detailed drawing illustrating cross sections through the proposed sediment pond and maximum water level is provided on the Permanent Storm Water Plan f-0600, Attachment F.

WATER BALANCE PROCEDURE

RG-500 Section 5.1.2 includes a water balance approach as an example of an Innovative Technology for Aggregate Production facilities. This Water Balance Summary provides the strategy that Martin Marietta is proposing to implement in order to monitor the effectiveness of the proposed sediment ponds at the Hunter Stone Quarry.

A description of measurements is provided in Table 1.

TABLE 1
MEASUREMENTS

ITEM	DESCRIPTION	ACTION	METHOD/EQUIPMENT*	ACCURACY
1	POND FINES AND WATER VOLUME TO SETTLING POND (WATER METER #1) Q1 IN	Continuous Measurement and Recordation by Flow Meter	SIEMENS SITRANS MAG 5100 SLURRY METER (8") - Complete with Transmitter and Data Recorder	0.20%
2	SETTLING POND VOLUME	Determine Initial Pond Volume Calculate Existing Volume Every 6 Months	Control Points and Lidar Survey to Develop 3-D Model of Settling Pond	+/- 10%
3	RAINFALL	Record Daily Rainfall	Weather Station to Measure and Record Rainfall	+/- 5%
4	EVAPORATION RATE	Monthly Measurement and Recordation of Evaporation	Class A Evaporation Pan	+/- 1mm (4%)
5	FRESH WATER VOLUME FROM SETTLING POND (WATER METER #2) Q2 OUT	Continuous Measurement and Recordation by Flow Meter	McCrometer ML100 - 6" Propeller Water Meter (8") – Complete with Transmitter and Data Recorder	+/- 2%

*Note: Actual equipment used may vary as long as the accuracy is equal to or greater than what is shown in the table above.

The following equation is proposed to measure Seepage Loss from the one existing water re-use pond as well as from the proposed sediment ponds:

SEEPAGE LOSS = VOLUME PLACED IN POND – SURVEYED POND VOLUME

VOLUME PLACED IN POND = Q1 in + Rainfall – Evaporation – Q2 out

SURVEYED POND VOLUME = Calculated volumetric difference between starting surveyed pond volume and ending surveyed pond volume at time of calculation.

SEEPAGE LOSS = Q1 in + RAINFALL - EVAPORATION – Q2 out – SURVEYED POND VOLUME

Q1 in = Volume of flow from the wash plant measured continuously by a Slurry Meter. See Exhibit A for Meter Technical Specifications.

RAINFALL = Measured daily by onsite weather station. Calculated over the surface area of the basins. See Exhibit B for Rain Gauge Technical Specifications.

EVAPORATION = Class A Evaporation Pan located at onsite weather station. Calculated over the surface area at the surveyed water elevation. See Exhibit D for Evaporation Pan Technical Specifications.

Q2 out = Volume of water measured continuously by a Water Meter located after the water recycle pump in basins. See Exhibit C for Fresh Water Flow Meter Technical Specifications.

EXAMPLE SETTLING POND 6 MONTH WATER BALANCE TABLE

CUMULATIVE DAILY RECORDINGS

DATE	SURVEYED POND VOLUME (GALLONS)	VOLUME IN Q1 (GALLONS)	RAINFALL R (INCHES)	RAINFALL R (GALLONS)	EVAPORATE (INCHES)	EVAPORATION (GALLONS)	VOLUME OUT Q2 (GALLONS)	VOLUME PLACED IN POND (GALLONS)	SEEPAGE LOSS (GALLONS)	CONVENTIONAL LINER LOSS (GALLONS)
1/20/2017	0	0		0		0		0	0	-
7/19/2017	19,000,000.00	51,840,000.00	10.00	2,715,240.00	10.00	2,715,240.00	31,840,000.00	20,000,000.00	1,000,000.00	3,989,991.73
TOTAL	19,000,000.00	51,840,000.00	10.00	2,715,240.00	10.00	2,715,240.00	31,840,000.00	20,000,000.00	1,000,000.00	3,989,991.73

10.0	Rainfall Area (Acres)
10.0	Evaporation Area (Acres)
12.0	Liner Area (Acres)
1,847.22	Conventional Liner Loss (Gal/day/ac)
180	Number of days
19,000,000	Surveyed Pond Volume (Gallons)

SEEPAGE LOSS = VOLUME PLACED IN POND - SURVEYED POND VOLUME

VOLUME PLACE IN POND = Q1 + R -E- Q2

SURVEYED POND VOLUME = Calculated volumetric difference between starting surveyed pond volume and ending surveyed pond volume at time of calculation.

WATER BALANCE MONITORING

Daily visual inspections of the sedimentation basin will be conducted to observe the overall general condition of the basin, and to look for abnormalities such as selective fine settlement, or irregular settlement. An example Daily Inspection Form, which will be maintained on site, is provided below. On a day-to-day operating basis, if the sedimentation basin is suspected to be leaking as evidenced by sudden water level draw down, a detailed inspection of the basin will be conducted to determine the leakage area.

If the calculated infiltration exceeds the expected infiltration from a conventionally lined pond, the quarry operator may try application of a pond sealer, such as sodium bentonite, to reduce infiltration from the sedimentation basin according to RG 500. It is anticipated application of a pond sealer such sodium bentonite will take approximately 2 to 4 weeks. The effectiveness of the pond sealer will be evaluated at the next scheduled water balance calculation event. If the pond sealer is found to be ineffective, Martin Marietta will stop introducing water into the pond and work with the TCEQ to identify and develop an appropriate and acceptable contingency plan to be utilized in lieu of the innovative technology.

Per RG-500 guidelines, Martin Marietta proposes to conduct the Water Balance Procedure on the proposed sedimentation basin for a minimum of six months and will continue until such time that the infiltration rate of such basin has reached a level below the RG-500 guidance document clay liner recommendation of 1.0 X 10-6 cm/sec., and thus validating the effectiveness of the proposed sedimentation basin methodology for this site. Once the effectiveness of the proposed methodology has been confirmed and the monitoring has been conducted for at least six months, Martin Marietta will terminate the Water Balance Procedure and visual inspections of the sedimentation basin will be performed on a quarterly basis going forward.

Hunter Stone QUARRY

EXAMPLE SETTLING POND DAILY INSPECTION FORM

MONTH: _____

DATE	ABNORMALITY OBSERVED (YES/NO)	* NOTED ABNORMALITY:
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
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28		
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30		
31		

* VISUAL INSPECTION ABNORMALITIES

Evidence of selective fine settlement

Evidence of irregular fine settlement

Evidence of sudden water level drawdown

Observed vortex drainage

Evidence of seepage in berms surrounding settling pond

Any other areas where leakage appears to be occurring

EXHIBIT A
SIEMENS FLOW METER SPECIFICATION Q1

Flow Measurement
SITRANS F M

Flow sensor MAG 5100 W

Overview

The SITRANS F M MAG 5100 W is an electromagnetic flow sensor designed to meet ground water, drinking water, waste water, sewage or sludge applications.

Benefits

- DN 15 to DN 1200 / 2000 (½" to 48"/78")
- Stock program of MAG 5100 W secures short delivery time
- Connection flanges EN 1092-1 (DIN 2501), ANSI, AWWA, AS and JIS.
- NBR Hard Rubber and Ebonite Hard Rubber liner for all water applications
- EPDM liner with drinking water approvals
- Hastelloy integrated grounding and measuring electrodes
- Increased low flow accuracy for water leak detection, due to coned liner design (Article No. 7ME6520, DN 15 to 300 mm (½" to 12")).
- Drinking water approvals
- Suitable for direct burial and constant flooding
- Custody transfer approvals
- Build-in length according to ISO 13359; the standard includes sizes up to DN 400.
- Easy commissioning, SENSORPROM unit automatically uploads calibration values and settings.
- Designed so patented in-situ verification can be conducted. Using SENSORPROM fingerprint.
- Custody Transfer option for water billing, with type approval after OIML R 49 and verified according to MI-001 - 0D inlet/ 0D outlet installation
  - pattern approval OIML R 49 (Denmark, Germany)
  - conforms to ISO 4064 and EN 14154 for mechanical flowmeters
  - PTB K7.2
- FM Fire Service Meter (Class Number 1044) for automatic fire protection systems
- Meets EEC directives: PED, 97/23/EC pressure directive for EN1092-1 flanges
- Simple onsite or factory upgrade to IP68/NEMA 6P of a standard sensor
- MCERTS approval for UK environmental market

Application

The main applications of the SITRANS F M electromagnetic flow sensors can be found in the following fields:

- Water abstraction
- Water treatment
- Water distribution network (leak detection management)
- Custody transfer water meters
- Irrigation
- Waste water treatment
- Filtration plant (e.g. reverse osmosis and ultra filtration)
- Industrial water applications

Mode of operation

The flow measuring principle is based on Faradays law of electromagnetic induction according to which the sensor converts the flow into an electrical voltage proportional to the velocity of the flow.

Integration

The complete flowmeter consists of a flow sensor and an associated transmitter SITRANS F M MAG 5000, MAG 6000 or MAG 6000 I.

The flexible communication concept USM II simplifies integration and update to a variety of fieldbus systems, e.g. HART, DeviceNet, PROFIBUS DP and PA, FOUNDATION Fieldbus H1 or Modbus RTU/RS 485.

EXHIBIT B

WEATHER STATION RAINFALL

Wireless Vantage Pro2™ & Vantage Pro2™ Plus Stations

(Including Fan-Aspirated Models)

6152 6162
6153 6163

Vantage Pro2™ (6152, 6153) and Vantage Pro2™ Plus (6162, 6163) Wireless Weather Stations include two components: the Integrated Sensor Suite (ISS) which houses and manages the external sensor array, and the console which provides the user interface, data display, and calculations. The ISS and Vantage Pro2 console communicate via an FCC-certified, license-free, spread-spectrum frequency-hopping (FHSS) transmitter and receiver. User-selectable transmitter ID codes allow up to eight stations to coexist in the same geographic area. The frequency hopping spread spectrum technology provides greater communication strength over longer distances and areas of weaker reception. The Wireless Vantage Pro2 Plus weather station includes two additional sensors that are optional on the Vantage Pro2: the UV sensor and the solar radiation sensor.

The console may be powered by batteries or by the included AC-power adapter. The wireless ISS is solar powered with a battery backup. Use WeatherLink® for Vantage Pro2 and Vantage Vue® to let your weather station interface with a computer, to log weather data, and to upload weather information to the internet.

The 6152 and 6162 rely on passive shielding to reduce solar-radiation induced temperature errors in the outside temperature sensor readings. The Fan-aspirated 6153 and 6163 combine passive shielding with a solar-powered fan that draws outside air in over the temperature and humidity sensors, providing a much more accurate temperature reading than that available using passive shielding alone.

Integrated Sensor Suite (ISS)

(Includes product numbers: 6152, 6153, 6162, 6163, 6322, 6323, 6327 & 6328)

EXHIBIT C

FLOW METER Q2 SPECIFICATIONS

MC Propeller

CONFIGURATION SHEET

MODEL ML100 FLANGED IRRIGATION FLOWMETER

DESCRIPTION

Model ML100 Irrigation Flowmeters are designed to provide accurate flow measurement at moderate pressure ratings in an inexpensive package. The impeller and drive assembly are removed and replaced through the open end of the meter tube. As with all McCrometer propeller flowmeters, standard features include magnetically coupled drive, instantaneous flowrate indicator and straight-reading, six-digit totalizer.

Impellers are manufactured of high-impact plastic, capable of retaining their shape and accuracy over the life of the meter. Each impeller is individually calibrated at the factory to accommodate the use of any standard McCrometer register. The ML100 can be field-serviced without the need for factory recalibration. Factory lubricated stainless steel bearings are used to support the impeller shaft. The sealed bearing design limits the entry of materials and fluids into the bearing chamber providing maximum bearing protection.

The instantaneous flowrate indicator is standard and available in gallons per minute, cubic feet per second, liters per second and other units. The register is driven by a flexible steel cable encased within a protective vinyl liner. The register housing protects both the register and cable drive system from moisture while allowing clear reading of the flowrate indicator and totalizer.

INSTALLATION

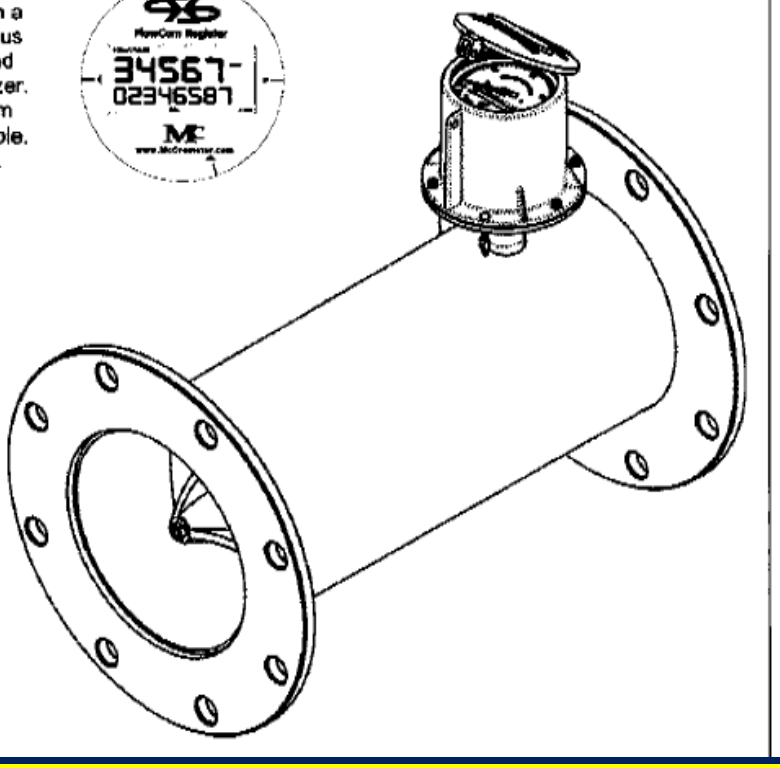
Standard installation is horizontal mount. If the meter is to be mounted in the vertical position, please advise the factory. A straight run of full pipe the length of ten pipe diameters ahead and two diameters behind the meter is the minimum normally recommended for meters without straightening vanes. Meters with straightening vanes require at least five pipe diameters ahead and two diameters behind the meter.

The McCrometer Propeller flowmeter comes with a standard instantaneous flowrate indicator and straight-reading totalizer. An optional FlowCom register is also available. *Typical face plates.*

APPLICATIONS

The McCrometer propeller is the most widely used flowmeter for agricultural and turf irrigation measurement. Typical applications include:

- Center pivot systems
- Sprinkler irrigation systems
- Golf course and park water management
- Drip irrigation systems
- Gravity turnouts from underground pipelines
- Commercial nurseries



LOW COST IRRIGATION FLOWMETER MODEL ML100

SPECIFICATIONS

PERFORMANCE

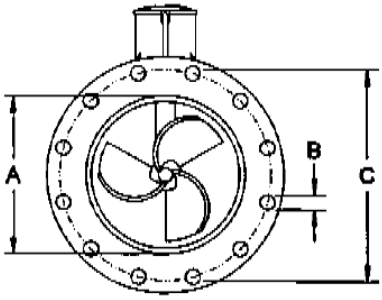
ACCURACY/REPEATABILITY: ±2% of reading guaranteed throughout full range. ±1% over reduced range. Repeatability 0.25% or better
RANGE: See dimensions chart below
HEAD LOSS: See dimensions chart below
MAXIMUM TEMPERATURE: (Standard Construction) 160°F constant.
PRESSURE RATING: 75 psi

MATERIALS

TUBE: Epoxy-coated carbon steel pipe, conforming to ASA pipe standards. Lightweight irrigation flanges with 150 pound drilling
BEARING ASSEMBLY: Impeller shaft is 316 stainless steel. Ball bearings are 440C stainless steel.
MAGNETS: (Permenant type) Alnico
BEARING HOUSING: Brass; Stainless Steel optional
REGISTER: An instantaneous flowrate indicator and six-digit straight-reading totalizer are standard. The register is hermetically sealed within a die cast aluminum case. This protective housing includes a domed acrylic lens and hinged lens cover with locking hasp.
IMPELLER: Impellers are manufactured of high-impact plastic, retaining their shape and accuracy over the life of the meter. High temperature impeller is optional.
COATING: Fusion-bonded epoxy.

OPTIONS

- Forward/reverse flow measurement
- Register extensions
- Flow straightening vanes
- "Over Run" bearing assembly for higher than normal flowrates
- Electronic propeller meter available in all sizes of this model
- A complete line of flow recording/control instrumentation
- Certified calibration test results
- Stainless steel bearing housing
- Canopy boot



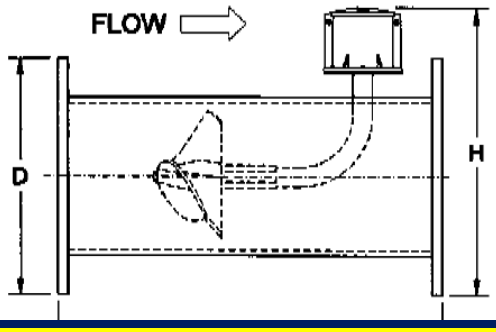


EXHIBIT D

EVAPORATION PAN & PROCEDURES

Rollover image to zoom detail

Class A Evaporation Station

Perfect for Regular Readings of Evaporation Rates
Accurately measure the amount of water evaporation on your site with this complete ***Class A Evaporation Station***—designed to measure maximum and minimum temperatures of the water and the ...

See more details »

Item #: 110375

Write a Review

Mfr. Model #: 255-500

CLASS A EVAPORATION STATION	
Evaporation Pan	10"D, 47½" dia., low carbon, stainless steel
Hook Gauge	3" span with 0.1" graduations, 7"L x 5¼" dia., nickel-plated brass
Stillwell	9"H x 4" dia., stainless steel
Minimum/Maximum	Can be used floating or submersed. Thermometer range 20–125°F, magnetic reset, built-in solar radiation shield, 1"H x 6"W x 11¼"L without floats, 1"H x 6"W x 13½"L with floats.
Totalizing	Used to monitor air passage, three-cup assembly Anemometer with 4" cups, six-digit mechanical counter with resolution of 0.1 mile, 12" dia. x 16"H.
Analog Output	Used to determine evaporation rate by measuring Evaporation Gauge changing water in evaporation pan. Consists of float, pulley and counterweight attached to a 1000-ohm potentiometer mounted through a gear assembly in a weatherproof housing. Base plate has bubble level. Can be monitored on site using a datalogger or a strip chart recorder, or monitored remotely by telemetry equipment.

DETAILS | ACCESSORIES

Class A Evaporation Station

Perfect for Regular Readings of Evaporation Rates

Accurately measure the amount of water evaporation on your site with this complete ***Class A Evaporation Station***—designed to measure maximum and minimum temperatures of the water and the amount of air passage along with evaporation levels. The Class A Station consists of a U.S. National Weather Service Class A evaporation pan, a combination floating-submersible min./max. thermometer, hook gauge, stillwell and totalizing anemometer.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT D
BMPS FOR SURFACE STREAMS

A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is provided below. Each feature identified in the Geologic Assessment as "sensitive" has been addressed.

Because the proposed sedimentation basin will be located below grade in the quarry pit, there will be no surface water runoff. By containing the sediment and solids within the quarry pit (project limits), they will not enter surface streams and/or sensitive features which may exist down-gradient of the pit.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT E
REQUEST TO SEAL FEATURES

If applicable, a request to seal a naturally-occurring "sensitive" or "possibly sensitive" feature, that includes a justification as to why no reasonable and practicable alternative exists, is provided for each feature below.

This request to mine out and/or grout naturally-occurring sensitive features is based on the absence of any reasonable or practicable alternatives. Sensitive features discovered during the Geologic Assessment or during the quarry process will be mined out or grouted as it would be unsafe and impractical to preserve a feature and buffer within the quarry pit.

Sensitive geologic features discovered in the active pit during quarrying operations will be addressed as follows:

1. Sensitive geologic feature recognition training for plant and quarry operators will be conducted. An on-site quarry manager and/or designated employees experienced in feature identification will conduct visual surveys after each blast to ensure adequate identification and reporting of sensitive features. The on-site quarry manager and designated employees will receive annual training prepared by a licensed Professional Geologist on feature identification and protection.
2. The appropriate TCEQ Regional Office will be immediately notified upon discovery of any sensitive features encountered during the quarrying operations. Upon discovery, work in the vicinity of the sensitive feature will stop until after protection for the feature is installed. Sensitive features on quarry benches will be filled with flowable fill or protected with material berms, which will be maintained on a daily basis if necessary.
3. Sensitive features located on the ultimate quarry floor, which will not be excavated or mined out by further quarry activities, will be sealed with flowable fill before regulated activities near the sensitive feature may proceed. Sensitive features located on the quarry floor of intermediate benches above the ultimate quarry floor, will not be sealed, but will be protected by material berms until such time as this area of the quarry containing the sensitive feature will be mined.

4. Sensitive features located in the highwalls, which are well above the level of potential water ponding in the quarry pit and unlikely to receive contamination from any other logical or recognized source, will not be sealed.
5. If sensitive features located in the highwalls are below the level of potential water ponding in the quarry pit, or likely to receive contamination from any other logical or recognized source, they will be sealed with flowable fill before regulated activities near the sensitive feature may proceed.
6. Large features may be first filled with gravel or large rocks before placement of flowable fill. A minimum of 18-inches of flowable fill will placed above the gravel or rocks. Flowable fill is to be used to provide a reliable seal throughout the sensitive feature as its characteristics allow it to flow around and between the gravel and large rocks and conform to irregular limits of a sensitive feature. As structural integrity and bearing capacity is not a design concern in these applications, concrete is not recommended or required.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT F
CONSTRUCTION PLANS

Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information have been signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed permanent BMPs and measures are provided herewith. Design Calculations, TCEQ Construction Notes, all man-made or naturally occurring geologic features, all proposed structural measures, and appropriate details are shown on the construction plans.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT G
INSPECTION, MAINTENANCE, REPAIR AND RETROFIT PLAN
(NOT APPLICABLE)

Attachment G is generally a requirement under RG-348. Sedimentation ponds such as the one that is the subject of this WPAP fall under RG-500 guidelines which have their own criteria of inspection and maintenance. These procedures (ie, water balance monitoring, pond inspections, etc.) are covered in detail in Attachment C of the Permanent Storm Water Section of the application. Therefore, as in previously approved sedimentation pond WPAPs, Attachment G is not applicable here.

PERMANENT STORMWATER SECTION FORM TCEQ-0600
ATTACHMENT I
MEASURES FOR MINIMIZING SURFACE STREAM CONTAMINATION

Because the proposed sedimentation basin will be located below grade in the quarry pit, there will be no surface water runoff. By containing the sediment and solids within the quarry pit (project limits), they will not enter surface streams which may exist down-gradient of the pit.

Section 8.0

AGENT AUTHORIZATION FORM

Owner Authorization Form

Texas Commission on Environmental Quality
for Required Signature
Edwards Aquifer Protection Program
Relating to 30 TAC Chapter 213
Effective June 1, 1999

Land Owner Authorization

I, Paul Pederson of Ash Grove Cement South Texas, LLC

Land Owner Signatory Name — Land Owner Name (Legal Entity or Individual)

am the owner of the property located at
7781 FM 1102, New Braunfels, Comal County Texas as described on Exhibit A and shown on Exhibit B of attached lease documents.

Legal description of the property referenced in the application

and am duly authorized in accordance with §213.4(c)(2) and §213.4(d)(1) or §213.23(c)(2) and §213.23(d) relating to the right to submit an application, signatory authority, and proof of authorized signatory.

I do hereby authorize Martin Marietta Materials Southwest, LLC

Applicant Name (Legal Entity or Individual)

to conduct Limestone Quarrying Activities & WPAP Submittal

Description of the proposed regulated activities

at Hunter Stone Quarry, 7781 FM1102, New Braunfels, TX 78132.

Precise location of the authorized regulated activities

Land Owner Acknowledgement

I understand that Ash Grove Cement South Texas, LLC

Land Owner Name (Legal Entity or Individual)

Is ultimately responsible for compliance with the approved or conditionally approved Edwards Aquifer protection plan and any special conditions of the approved plan through all phases of plan implementation even if the responsibility for compliance and the right to possess and control the property referenced in the application has been contractually assumed by another legal entity. I further understand that any failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Land Owner Signature

Land Owner Signature

5/8/2025
Date

THE STATE OF § Texas

County of § Comal

BEFORE ME, the undersigned authority, on this day personally appeared Paul Pederson 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 8 day of May, 2025.

Patricia Pierson
NOTARY PUBLIC

Patricia Pierson
My Commission Expires
5/30/2027
Notary ID 1853907

Patricia Pierson
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 5-30-27

Attached: (Mark all that apply)

- [X] Lease Agreement
- [ ] Signed Contract
- [ ] Deed Recorded Easement
- [ ] Other legally binding document

Applicant Acknowledgement

I, Kirk R. Light of Martin Marietta Materials Southwest, LLC
Applicant Signatory Name — Applicant Name (Legal Entity or Individual)

acknowledge that Quarry Materials Corporation
Land Owner Name (Legal Entity or Individual)

has provided Martin Marietta Materials Southwest, LLC
Applicant Name (Legal Entity or Individual)

with the right to possess and control the property referenced in the Edwards Aquifer protection plan.

I understand that Martin Marietta Materials Southwest, LLC
Applicant Name (Legal Entity or Individual)

is contractually responsible for compliance with the approved or conditionally approved Edwards Aquifer protection plan and any special conditions of the approved plan through all phases of plan implementation. I further understand that failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Applicant Signature

Applicant Signature

6/23/2025
Date

THE STATE OF § Texas

County of § Dallas

BEFORE ME, the undersigned authority, on this day personally appeared Kirk R. Light 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 23RD day of June, 2025

NOTARY PUBLIC

Trang Trinh
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: April 23, 2027

TRANG TRINH
Notary ID #131985654
My Commission Expires
April 23, 2027

After recording return to:
Joyce Law, Esq.
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Memorandum") is made and entered into as of the 10th day of February, 2024 to provide notice of that certain Mining, Supply and License Agreement dated as of February 9, 2024 (the "Agreement"), by and between Martin Marietta Materials, Inc., a North Carolina corporation, for itself and its affiliates, having an address at c/o Martin Marietta Materials, Inc., 4123 Parklake Avenue, Raleigh, North Carolina 27612 ("Martin Marietta") and Ash Grove Cement South Texas, LLC, a Delaware limited liability company (f/k/a Martin Marietta South Texas Cement, LLC), for itself and its affiliates, having an address at c/o CRH Americas Law Group, 900 Ashwood Parkway, Suite 600, Atlanta, Georgia 30338 ("Purchaser"), providing for certain obligations of each of Martin Marietta and Purchaser with respect to mining and related activities at that certain real property owned by Purchaser and lying in and around 7781 FM 1102, New Braunfels, Comal County, Texas and more particularly described on Exhibit A (the "Property").

1. The initial term of the Agreement, unless sooner terminated as otherwise provided in the Agreement, shall be thirty (30) years from the date hereof. Thereafter, the Agreement shall renew on a year-to-year basis, subject to the terms therein.

2. The Agreement provides that, subject to the Agreement, Purchaser shall have the sole and exclusive right to conduct mining activities and certain other operations at the quarry located at the Property as shown on Exhibit B (the "Hunter Quarry") and that Purchaser shall make available to Martin Marietta all of the Aggregates Materials (as defined in the Agreement) mined by Purchaser at the Property, subject to and in accordance with the terms of the Agreement. In the event that Purchaser ceases mining Aggregate Materials for a period of thirty (30) consecutive days or more, regardless of reason, Martin Marietta shall have the right, at its sole cost and expense, to undertake mining activities in accordance with the agreed upon mine plan, in order to continue to mine Aggregates Materials. Without limiting the foregoing, Purchaser will be entitled to resume operation of mining activities upon notice to Martin Marietta.

3. The Agreement grants to Martin Marietta a license to use and access (a) the Hunter Quarry, and (b) the stockpiles, the aggregate processing area and the truck scales at the Property, all as shown on Exhibit C (collectively, the "Licensed Processing Area"), for the purpose of loading, hauling, stockpiling, crushing, processing or removing the Aggregates Materials (as defined in the Agreement) for sale or transfer as provided in the Agreement and ancillary purposes thereto (the "Martin Marietta Permitted Use"). Purchaser shall have the right, upon one hundred and twenty (120) days advance written notice to Martin Marietta, to relocate any stockpile to the extent reasonably necessary for its Cement Operations (as defined in the Agreement), so long as such relocated stockpile is comparable to the location from which it was relocated.

4. The Agreement grants Martin Marietta (a) the non-exclusive right of ingress and egress to and from the Hunter Quarry and the Licensed Processing Area(s) over established roadways or other thoroughfares at the Property; and (b) sufficient parking rights at the Property on a non-exclusive basis and as reasonably necessary in connection with the Martin Marietta Permitted Use.

5. The Agreement grants to Purchaser a license for the reasonable use and access of the Hunter Stone shop, located within the Licensed Processing Area, for mobile equipment, upon reasonable notice to Martin Marietta, during regular business hours or as otherwise reasonably requested by Purchaser, in each case, for the purpose of conducting maintenance on Purchaser's mobile equipment.

6. Martin Marietta will be responsible for property taxes and utilities allocable to the Licensed Processing Area.

7. The Agreement does not grant to Martin Marietta the right to purchase any right, title or interest in or to any portion of the Property.

8. Upon expiration or termination of the Agreement, within thirty (30) days after written request from Purchaser, Martin Marietta covenants to execute, acknowledge and deliver to Purchaser an original instrument in recordable form terminating this Memorandum. Upon receipt of such instrument terminating this Memorandum from Martin Marietta, Purchaser shall record the same in the applicable land records of Comal County, Texas; however, in no event shall a failure to record any such termination of this Memorandum be construed as an extension of the term of the Agreement.

9. This Memorandum is being executed solely to give notice of the Agreement, as it relates to the Property, and is not intended to amend the Agreement in any respect.

[Remainder of Page Intentionally Left Blank; Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum as of the date above written.

MARTIN MARIETTA:

MARTIN MARIETTA MATERIALS, INC., a North Carolina corporation

By: Roselyn Bar
Name: Roselyn Bar
Title: Executive Vice President, General Counsel and Corporate Secretary

THE STATE OF NORTH CAROLINA §
§
COUNTY OF WAKE §

The foregoing instrument was acknowledged before me on the 8th day of February, 2024, personally appeared Roselyn Bar, known to me to be the person whose name is subscribed to the within instrument, and who stated that she was the Executive Vice President, General Counsel and Corporate Secretary of MARTIN MARIETTA MATERIALS, INC., a North Carolina corporation, and who acknowledged that while being duly authorized by the corporation that she had executed the said instrument for the consideration, uses and purposes therein mentioned and set forth.

Barbara D. Johnson
NOTARY PUBLIC

BARBARA D. JOHNSON
PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

March 17, 2024

BARBARA D. JOHNSON NOTARY PUBLIC DURHAM COUNTY, N.C.

PURCHASER:

ASH GROVE CEMENT SOUTH TEXAS, LLC, a Delaware limited liability company

By: _____
Name: David Toolan
Title: Assistant Secretary

THE STATE OF GEORGIA §
§
COUNTY OF DEKALB §

The foregoing instrument was acknowledged before me on the 8th day of February, 2024, personally appeared David Toolan, known to me to be the person whose name is subscribed to the within instrument, and who stated that he/she was the Assistant Secretary of ASH GROVE CEMENT SOUTH TEXAS, LLC, a Delaware limited liability company, and who acknowledged that while being duly authorized by the corporation that he/she had executed the said instrument for the consideration, uses and purposes therein mentioned and set forth.

_____
NOTARY PUBLIC

Betsey Veras Williams
PRINTED NAME OF NOTARY

MY COMMISSION EXPIRES:

EXHIBIT A

LEGAL DESCRIPTION

TRACT 1:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 5.51 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, FURTHER BEING OUT OF THAT CERTAIN CALLED 598.145 ACRE TRACT OF LAND RECORDED IN VOLUME 345, PAGE 395 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS; SAID 5.51 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BE METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS AND COORDINATES CALLED FOR HEREIN BASED ON THE SOUTH CENTRAL ZONE OF THE TEXAS COORDINATE SYSTEM; BEGINNING AT A 1/2 INCH REBAR SET (N: 13842470.20, E: 2274993.20) ON THE COMMON LINE OF SAID 598.145 ACRE TRACT WITH THAT CERTAIN CALLED 104.72 ACRE TRACT DESCRIBED AS TRACT 5 IN VOLUME 265, PAGE 849 OF SAID DEED RECORDS FOR THE SOUTHEASTERLY CORNER AND POINT OF BEGINNING OF THIS PARCEL;

THENCE WITH SAID COMMON LINE, SOUTH 76 DEG 57' 51" WEST, A DISTANCE OF 435.15 FEET TO A 1/2 INCH REBAR SET;

THENCE INTO SAID 598.145 ACRE TRACT, THE FOLLOWING SEVEN (7) COURSES:

1. NORTH 30 DEG 15' 54" WEST, A DISTANCE OF 191.79 FEET TO A FENCE POST FOUND;
2. NORTH 24 DEG 27' 59" WEST, A DISTANCE OF 101.70 FEET TO A FENCE POST FOUND;
3. NORTH 42 DEG 08' 35" EAST, A DISTANCE OF 165.35 FEET TO A FENCE POST FOUND;
4. NORTH 14 DEG 40' 58" EAST, A DISTANCE OF 196.74 FEET TO A FENCE POST FOUND;
5. NORTH 31 DEG 27' 30" EAST, A DISTANCE OF 239.35 FEET TO A 1/2 INCH REBAR SET;
6. SOUTH 25 DEG 58' 53" EAST, A DISTANCE OF 551.83 FEET TO A 1/2 INCH REBAR SET;
7. SOUTH 11 DEG 00' 57" EAST, A DISTANCE OF 184.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.51 ACRES OF LAND WITH ALL SET 1/2 INCH REBAR MARKED WITH A YELLOW PLASTIC CAP STAMPED "RPLS 4907".

TRACT 2:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 19.18 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, FURTHER BEING OUT OF THAT CERTAIN CALLED 598.145 ACRE TRACT RECORDED IN VOLUME 345, PAGE 395 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS; SAID 19.18 ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS AND COORDINATES BASED ON THE SOUTH CENTRAL ZONE OF THE TEXAS COORDINATE SYSTEM;

BEGINNING AT A 1/2 INCH REBAR SET (N: 13844181.40, E: 2274080.07) ON THE COMMON LINE OF SAID 598.145 ACRE TRACT WITH THAT CERTAIN CALLED 602.59 ACRE TRACT DESCRIBED AS TRACT 3 IN VOLUME 265, PAGE 849 OF SAID DEED RECORDS FOR THE MOST NORTHERLY CORNER AND POINT OF BEGINNING OF THIS PARCEL;

THENCE INTO SAID 598.145 ACRE TRACT, THE FOLLOWING SEVEN (7) COURSES:

1. SOUTH 37 DEG 14' 22" EAST, A DISTANCE OF 189.70 FEET TO A 1/2 INCH REBAR SET;
2. SOUTH 29 DEG 31' 08" EAST, A DISTANCE OF 1024.72 FEET TO A 1/2 INCH REBAR SET FOR THE MOST
EASTERLY CORNER OF THIS PARCEL;
3. SOUTH 31 DEG 27' 30" WEST, A DISTANCE OF 239.35 FEET TO A FENCE POST FOUND;
4. SOUTH 14 DEG 40' 58" WEST, A DISTANCE OF 196.74 FEET TO A FENCE POST FOUND;
5. SOUTH 42 DEG 08' 35" WEST, A DISTANCE OF 165.35 FEET TO A FENCE POST FOUND;
6. SOUTH 24 DEG 27' 59" EAST, A DISTANCE OF 101.70 FEET TO A FENCE POST FOUND;
7. SOUTH 30 DEG 15' 54" EAST, A DISTANCE OF 191.79 FEET TO A 1/2 INCH REBAR SET ON THE COMMON LINE OF SAID 598.145 ACRE TRACT WITH THAT CERTAIN CALLED 104.72 ACRE TRACT DESCRIBED AS TRACT 5 IN SAID VOLUME 265, PAGE 849 FOR THE SOUTHEASTERLY CORNER OF THIS PARCEL; THENCE, WITH THE COMMON LINE OF SAID 598.145 ACRE TRACT WITH SAID 104.72 ACRE TRACT, NORTH 89 DEG 14' 54" WEST, A DISTANCE OF 140.21 FEET TO A 1/2 INCH REBAR SET AND NORTH 89 DEG 21' 07" WEST, A DISTANCE OF 106.72 FEET TO A 1/2 INCH REBAR SET FOR THE SOUTHWESTERLY CORNER OF THIS PARCEL, SAME BEING A COMMON CORNER OF SAID 598.145 ACRE TRACT, SAID 104.72 ACRE TRACT AND SAID 602.59 ACRE TRACT;

THENCE WITH THE COMMON LINE OF SAID 598.145 ACRE TRACT WITH SAID

602.59 ACRE TRACT, THE FOLLOWING TWENTY-TWO (22) COURSES:

1. NORTH 10 DEG 44' 32" EAST, A DISTANCE OF 37.09 FEET TO A 1/2 INCH REBAR SET;
2. NORTH 28 DEG 22' 27" EAST, A DISTANCE OF 31.45 FEET TO A 1/2 INCH REBAR SET;
3. NORTH 20 DEG 55' 48" WEST, A DISTANCE OF 28.06 FEET TO A 1/2 INCH REBAR SET;
4. NORTH 15 DEG 00' 34" EAST, A DISTANCE OF 47.53 FEET TO A 1/2 INCH REBAR SET;
5. NORTH 06 DEG 37' 34" EAST, A DISTANCE OF 49.31 FEET TO A 1/2 INCH REBAR SET;
6. NORTH 34 DEG 12' 18" WEST, A DISTANCE OF 97.38 FEET TO A 1/2 INCH REBAR FOUND;
7. NORTH 35 DEG 24' 23" WEST, A DISTANCE OF 128.23 FEET TO A 1/2 INCH REBAR SET;
8. NORTH 27 DEG 22' 56" WEST, A DISTANCE OF 36.22 FEET TO A 1/2 INCH REBAR SET;
9 NORTH 19 DEG 17' 41" WEST, A DISTANCE OF 240.20 FEET TO A 1/2 INCH REBAR FOUND;
10. NORTH 28 DEG 48' 14" WEST, A DISTANCE OF 108.48 FEET TO A 1/2 INCH REBAR FOUND;
11. NORTH 22 DEG 04' 36" WEST, A DISTANCE OF 137.26 FEET TO A 1/2 INCH REBAR SET;
12. NORTH 27 DEG 58' 43" WEST, A DISTANCE OF 69.81 FEET TO A 1/2 INCH REBAR FOUND;
13. NORTH 31 DEG 03' 00" WEST, A DISTANCE OF 92.68 FEET TO A 1/2 INCH REBAR FOUND;
14. NORTH 44 DEG 11' 03" WEST, A DISTANCE OF 84.94 FEET TO A 1/2 INCH REBAR FOUND;
15. NORTH 49 DEG 59' 18" WEST, A DISTANCE OF 181.39 FEET TO A 1/2 INCH REBAR SET;
16. NORTH 45 DEG 18' 30" WEST, A DISTANCE OF 32.28 FEET TO A 1/2 INCH REBAR FOUND;
17. NORTH 37 DEG 46' 05" WEST, A DISTANCE OF 35.70 FEET TO A 1/2 INCH REBAR SET;
18. NORTH 25 DEG 53' 45" WEST, A DISTANCE OF 33.83 FEET TO A 1/2 INCH REBAR FOUND;
19. NORTH 08 DEG 01' 48" WEST, A DISTANCE OF 64.62 FEET TO A 1/2 INCH REBAR SET;
20. NORTH 08 DEG 14' 05" EAST, A DISTANCE OF 99.57 FEET TO A 1/2 INCH REBAR SET;
21. NORTH 44 DEG 21' 59" EAST, A DISTANCE OF 210.90 FEET TO A 1/2 INCH REBAR SET;
22. NORTH 45 DEG 58' 17" EAST, DISTANCE OF 359.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.18 ACRES OF LAND WITH ALL SET 1/2

INCH REBARS CALLED FOR HEREIN MARKED WITH A YELLOW PLASTIC CAP STAMPED "RPLS 4907".

TRACT 3:

BEING A 0.082 ACRE TRACT OUT OF THE SAMUEL CRAFT SURVEY NO. 1, COMAL COUNTY, TEXAS, SAID TRACT BEING THAT SAME 0.082 ACRE TRACT CALLED FIRST TRACT, NELSON WELL SITE IN A CONVEYANCE FROM H.C. NELSON, ET UX TO CRYSTAL CLEAR WATER SUPPLY CORPORATION IN THAT GENERAL WARRANTY DEED RECORDED IN VOLUME 143, PAGE 0381, DEED RECORDS, COMAL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD IN A PILE OF ROCKS IN THE EAST CORNER OF THE TRACT HEREIN DESCRIBED; SAID EAST CORNER BEARS NORTH 45° 36' WEST 252.0 VARAS (700.0') FROM THE EAST CORNER OF A 50.88 ACRE TRACT OF LAND DEEDED TO H. C. NELSON BY W.S. HIGGINS, JR., TRUSTEE ON OCTOBER 15, 1964 AND RECORDED IN VOL. 141, PAGE 118 OF THE COMAL COUNTY DEED RECORDS, SAID EAST CORNER OF THE 50.88 ACRE TRACT BEARS NORTH 86° 14' WEST 2148.82 VARAS FROM THE WEST CORNER OF THE SAMUEL CRAFT SURVEY NO. 1, COMAL COUNTY, TEXAS;

THENCE NORTH 45° 36' WEST WITH THE NORTHEAST LINE OF SAID 50.88 ACRE TRACT A DISTANCE OF 60 FEET TO AN IRON ROD IN A PILE OF ROCKS;

THENCE SOUTH 45° 24' WEST 60 FEET TO AN IRON ROD IN A PILE OF ROCKS;

THENCE SOUTH 45° 36' EAST 60 FEET TO AN IRON ROD IN A PILE OF ROCKS;

THENCE SOUTH 45° 24' WEST 60 FEET TO THE PLACE OF BEGINNING CONTAINING 0.082 ACRES OF LAND, MORE OR LESS.

TRACT 4:

BEGINNING AT A CORNER POST FOR THE SOUTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING ON THE NORTHEAST LINE OF THAT TRACT DESCRIBED AS 814.85 ACRES OF LAND IN A DEED FROM WALTER HOFFMAN, ET UX. TO OTTO HOFFMAN, ET UX., SAID DEED DATED 2-26-37, RECORDED IN VOL.
67, P. 313, COMAL COUNTY DEED RECORDS, BEING ALSO THE SOUTH CORNER OF THE AUSTIN PERKINS SURVEY #25, THE WEST CORNER OF THE SAMUEL CRAFT SURVEY, AND ON THE NORTHEAST LINE OF THE NANCY KENNER SURVEY #3 AS FENCED AND USED UPON THE GROUND;

THENCE, WITH THE NORTHEAST LINE OF THE SAID HOFFMAN 814.85 ACRES TRACT AND THE NANCY KENNER SURVEY AND THE SOUTHWEST

LINE OF THE PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND NORTH 45° 11' WEST 461.9 VARAS TO A POST AT ANGLE POINT;

THENCE, CONTINUING WITH THE LINE OF THE HOFFMAN TRACT AS FENCED, THE FOLLOWING COURSES NUMBERED 1 THRU 3:

1. NORTH 77° 38' WEST - 23.2 VARAS TO AN IRON STATE FOUND AT ANGLE POINT;
2. NORTH 46° 04' WEST - 382.3 VARAS;
3. NORTH 46° 13' WEST - 98.0 VARAS TO A CORNER POST FOR THE NORTH CORNER OF THE SAID HOFFMAN 814.05 ACRE TRACT, SAME BEING ON THE SOUTHEAST LINE OF THAT PORTION OF A 6778 ACRE TRACT OF LAND CONVEYED TO ALBERT PFEUFFER BY ELSIE HAARMANN AND THEKLA WRIGHT BY DEED DATED 2-26-25, RECORDED IN VOL. 50, P.588, COMAL COUNTY DEED RECORDS, AND BEING ALSO ON THE NORTHWEST LINE OF THE KENNER SURVEY AND THE SOUTHEAST LINE OF THE WESLEY HUGHES SURVEY #29 AS FENCED AND USED UPON THE GROUND;

THENCE, WITH FENCE AND SOUTHEAST LINE OF HUGHES SURVEY #29 AND THE SAID PFEUFFER TRACT, NORTH 42° 56' EAST 10.9 VARAS TO A CORNER POST FOR THE EAST CORNER OF THE PFEUFFER TRACT, THE EAST CORNER OF THE HUGHES SURVEY #29 AND THE NORTH CORNER OF THE NANCY KENNER SURVEY #3 ON THE SOUTHWEST LINE OF THE PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND;

THENCE, WITH THE NORTHEAST LINE OF THE PFEUFFER TRACT AND THE HUGHES SURVEY #29 AND THE SOUTHWEST LINES OF THE PERKINS SURVEY #25, AND THE JOHN M. OLIVER SURVEY #26 AS FENCED AND USED UPON THE GROUND THE FOLLOWING COURSES NUMBERED 4 THRU 13:

4. NORTH 45° 19' WEST - 469.0 VARAS;
5. NORTH 45° 39' WEST - 94.2 VARAS;
6. NORTH 45° 19' WEST - 42.2 VARAS;
7. NORTH 44° 58' WEST - AT ABOUT 65 VARAS PASSING THE RECORD LOCATION OF THE WEST CORNER OF THE PERKINS SURVEY #25 AND THE SOUTH CORNER OF THE OLIVER SURVEY #26 AND CONTINUE ON IN ALL 218.7 VARAS;
8. NORTH 45° 34' WEST - 108.4 VARAS;
9. NORTH 45° 13' WEST - 422.3 VARAS;
10. NORTH 45° 38' WEST - 204.7 VARAS;
11. NORTH 46° 09 WEST - 187.2 VARAS;
12. NORTH 46° 34' WEST - 237.1 VARAS;
13. NORTH 51° 05' WEST - 36.9 VARAS TO A POST AT ANGLE POINT FOR THE NORTH CORNER OF THE SAID PFEUFFER TRACT AND AN EAST CORNER OF THAT PORTION OF THE 6778 ACRE TRACT OF LAND CONVEYED TO ELSIE HAARMANN AND THEKLA WRIGHT BY ALBERT PFEUFFER BY DEED DATED 2-26-25, RECORDED IN VOL. 50, P. 588, COMAL COUNTY DEED RECORDS;

THENCE, WITH FENCE AND LINE OF THE SAID HAARMANN AND WRIGHT TRACT, THE FOLLOWING TWO COURSES NUMBERED 14 AND 15:
14. NORTH 32° 33' WEST - 12.1 VARAS;
15. NORTH 46° 10' WEST - 311.0 VARAS TO A CORNER POST FOR THE MOST SOUTHERLY WEST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING A RE-ENTRANT CORNER OF THE SAID HAARMANN AND WRIGHT TRACT ON THE NORTHEAST LINE OF THE WESLEY HUGHES SURVEY #30 AND THE SOUTHWEST LINE OF THE JOHN M. OLIVER SURVEY #26 AS FENCED AND USED UPON THE GROUND;

THENCE, LEAVING THE LINE OF THE HUGHES AND OLIVER SURVEYS WITH FENCE AND THE LINE OF THE HAARMANN AND WRIGHT TRACT, THE FOLLOWING COURSES NUMBERED 16 THRU 22:

16. NORTH 44° 43' EAST - 128.6 VARAS;
17. NORTH 45° 10' EAST - 109.8 VARAS;
18. NORTH 44° 54' EAST - 198.7 VARAS;
19. NORTH 45° 12' EAST - 40.2 VARAS;
20. NORTH 37° 36' EAST - 65.5 VARAS;
21. NORTH 62° 36' EAST - 23.8 VARAS;
22. NORTH 56° 22' EAST - 31.1 VARAS TO A CORNER POST FOR A RE-ENTRANT CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING AN EAST CORNER OF THE HAARMANN AND WRIGHT TRACT; THENCE, CONTINUING WITH FENCE AND THE LINE OF THE HAARMANN AND WRIGHT TRACT, THE FOLLOWING COURSES NUMBERED 23 THRU 25:

23. NORTH 43° 36' WEST - 53.2 VARAS;
24. NORTH 45° 45' WEST - 85.8 VARAS;
25. NORTH 44° 17' WEST - 123.9 VARAS TO A CORNER POST FOR THE MOST NORTHERLY WEST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING A RE-ENTRANT CORNER OF THE SAID HAARMANN AND WRIGHT TRACT ON THE SOUTHEAST LINE OF THE FREDERICK PEYNGHOUSE SURVEY AND THE NORTHWEST LINE OF THE JOHN M. OLIVER SURVEY #26 AS FENCED AND USED UPON THE GROUND;

THENCE, WITH A SOUTHEAST LINE OF THE HAARMANN AND WRIGHT TRACT, THE SOUTHEAST LINE OF THE PEYNGHOUSE SURVEY AND THE JOHN M. OLIVER SURVEY #28, AND THE NORTHWEST LINES OF THE OLIVER SURVEY #26, AND THE NORTHWEST LINE OF THE AUSTIN PERKINS SURVEY #27, THE FOLLOWING COURSES NUMBERED 26 THRU 29:

26. NORTH 43° 48' EAST - AT ABOUT 540 VARAS PASSING THE RECORD LOCATION OF THE EAST CORNER OF THE PEYNGHOUSE SURVEY AND THE SOUTH CORNER OF THE OLIVER SURVEY #28 AND CONTINUE ON IN ALL 1703.2 VARAS;
27. NORTH 45° 22' EAST - 53.3 VARAS;

28. NORTH 43° 52' EAST - AT ABOUT 145 VARAS PASSING RECORD LOCATION OF THE NORTH CORNER OF THE OLIVER SURVEY #28 AND THE WEST CORNER OF THE PERKINS SURVEY #27 AND CONTINUE ON IN ALL 1030.8 VARAS;
29. NORTH 44° 57' EAST - 80.8 VARAS TO A CORNER POST FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING WEST CORNER OF THAT TRACT DESCRIBED AS 390.99 ACRES OF LAND IN A DEED FROM MRS. ANNA KYLE, ET AL, TO GEORGE ELBAND, ET AL, SAID DEED DATED 6-20-16, AND RECORDED IN VOL. 36, P. 564, COMAL COUNTY DEED RECORDS;

THENCE, WITH THE SOUTHEAST LINES OF THE SAID ELBAND 390.99 ACRE TRACT AND THAT TRACT DESCRIBED AS 823.5 ACRES OF LAND IN A DEED FROM JESSE POSEY, JR., ET UX, TO C. R. WILLIAMS, ET AL, SAID DEED DATED 6-14-61 AND RECORDED IN VOL. 123, P. 569, COMAL COUNTY DEED RECORDS, THE FOLLOWING COURSES NUMBERED 30 THRU 29:

30. SOUTH 45° 00' EAST - AT ABOUT 418 VARAS CROSSING THE NORTHWEST LINE OF THE LEAMAN S. BEASLEY SURVEY #3, AT ABOUT 918 VARAS PASSING A RE ENTRANT CORNER OF THE BEASLEY SURVEY #3 ON THE NORTHEAST LINE OF THE AUSTIN PERKINS SURVEY #27, AT ABOUT 994 VARAS PASSING AN EAST CORNER OF THE PERKINS SURVEY #27 AND THE NORTH CORNER OF THE PERKINS SURVEY #25, AND CONTINUE ON IN ALL 2925.7 VARAS TO ANGLE POINT;
31. SOUTH 44° 39' EAST - 99.3 VARAS;
32. SOUTH 44° 58' EAST - 201.0 VARAS;
33. SOUTH 44° 16' EAST - 191.5 VARAS;
34. SOUTH 44° 45' EAST - 209.0 VARAS TO A CORNER POST FOR THE EAST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING A NORTH CORNER OF THAT TRACT DESCRIBED AS 144 1/20 ACRES OF LAND IN A DEED FROM OTTO PREUSSER ET AL TO TRAVIS H. TATE, SAID DEED DATED 1-7-42, AND RECORDED IN VOL. 74, P. 601, COMAL COUNTY DEED RECORDS, AND THE EAST CORNER OF THE PERKINS SURVEY #25 AND A NORTH CORNER OF THE SAMUEL CRAFT SURVEY AS FENCED AND USED UPON THE GROUND;

THENCE, WITH THE NORTHWEST LINES OF THE SAID TATE 144 1/20 ACRE TRACT, THAT TRACT OF LAND CONVEYED TO H. C. NELSON BY HILMAR DOEHNE BY DEED RECORDED IN VOL. 81, P. 422, COMAL COUNTY RECORDS, AND THAT TRACT OF LAND CONVEYED TO K. L. KARGER BY KATE WATSON DEDELCE, ET AL, BY DEED DATED 10-03-58 AND RECORDED IN VOL. 114, P. 573, COMAL COUNTY DEED RECORDS, AND THE NORTHWEST LINE OF THE SAMUEL CRAFT SURVEY AND THE SOUTHEAST LINE OF THE AUSTIN PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND THE FOLLOWING COURSES NUMBERED 35 THRU 51:

35. SOUTH 44° 03' WEST - 484.1 VARAS;

36. SOUTH 46° 25' WEST - 173.2 VARAS;
37. SOUTH 46° 06' WEST - 126.6 VARAS;
38. SOUTH 42° 54' WEST - 59.1 VARAS;
39. SOUTH 45° 14' WEST - 123.5 VARAS;
40. SOUTH 45° 49' WEST - 82.8 VARAS;
41. SOUTH 45° 18' WEST - 271.2 VARAS;
42. SOUTH 43° 36' WEST - 91.3 VARAS;
43. SOUTH 45° 59' WEST - 139.4 VARAS;
44. SOUTH 44° 56' WEST - 126.1 VARAS;
45. SOUTH 45° 34' WEST - 218.8 VARAS;
46. SOUTH 45° 03' WEST - 108.4 VARAS;
47. SOUTH 45° 28' WEST - 272.4 VARAS;
48. SOUTH 42° 52' WEST - 55.9 VARAS;
49. SOUTH 47° 50' WEST - 92.6 VARAS;
50. SOUTH 44° 02' WEST - 90.5 VARAS;
51. SOUTH 45° 06' WEST - 906.6 VARAS TO THE PLACE OF BEGINNING, CONTAINING 2165.60 ACRES OF LAND.

TRACT 5:

BEING 17.4 ACRES OF LAND OUT OF THE SAMUEL CRAFT LEAGUE SURVEY #1 IN COMAL COUNTY, TEXAS, DESCRIBED AS BEING 15 ACRES OF LAND, MORE OR LESS, OUT OF TRACT 4, OF A SUBDIVISION OF THE SARAH WILLIAMS ESTATE, ACCORDING TO A MAP THEREOF RECORDED IN VOL. 1, PAGE 476 OF THE PROBATE MINUTES, COMAL COUNTY, TEXAS IN A DEED DATED FEBRUARY 24, 1962, EXECUTED BY ALBERT LOEP, ET AL TO BERTHOLD LOEP, ET UX, RECORDED IN VOLUME 127, PAGES 303-305, COMAL COUNTY DEED RECORDS; AND ALL OTHER PROPERTY OWNED OR CLAIMED BY GRANTORS IN SAID SAMUEL CRAFT LEAGUE SURVEY #1;

BEGINNING AT A POINT IN A FENCE WHICH BEARS NORTH 42° 25' WEST 98.98 VARAS FROM THE SOUTHWEST CORNER OF TRACT NO. 4, AS SHOWN IN PLAT RECORDED IN VOLUME 1, PAGE 476, PROBATE MINUTES, COMAL COUNTY, TEXAS;

THENCE CONTINUING ALONG SAID FENCE NORTH 42° 25' WEST 144.03 VARAS TO A POINT FOR THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 47° 51' EAST 713.39 VARAS TO A POINT IN THE CENTER OF A ROAD;

THENCE CONTINUING NORTH 47° 51' EAST 114.0 VARAS, THEN 76.48 VARAS TO A ROCK MOUND BUILT FOR THE NORTH CORNER OF SAID TRACT;

THENCE SOUTH 26° 23' EAST 87.46 VARAS TO A ROCK MOUND BUILT;

THENCE SOUTH 11° 05' EAST 64.97 VARAS TO A ROCK MOUND FOR CORNER BEING THE MOST EASTERLY CORNER OF SAID TRACT;

THENCE SOUTH 47° 10' WEST 91.22 VARAS TO A POINT;

THENCE SOUTH 47° 31' WEST 565.06 VARAS ACROSS SAID ROAD TO THE POINT OF BEGINNING, TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS.

TRACT 6:

BEING 605.05 ACRES OF LAND, LESS 2.46 ACRES OF LAND WITHIN P. M. HIGHWAY #1102, LEAVING AN AGGREGATE OF 602.59 ACRES OF LAND OUT OF THE SAMUEL CRAFT LEAGUE #1, COMAL COUNTY, TEXAS, BEING THAT TRACT OF LAND DESCRIBED IN THE FOLLOWING DEEDS TO D. G. POSEY NUMBERED 1 THROUGH 10.

1. 3 ACRES OF LAND CONVEYED TO D. G. POSEY BY ERNST GRUENE, JR., SAID DEED DATED NOV. 30, 1894, RECORDED IN VOL. W, P. 454, COMAL COUNTY DEED RECORDS.

2. 3 TRACTS OF LAND CONTAINING 117 ACRES, 33-1/2 ACRES AND 7 ACRES, CONVEYED TO D. G. POSEY BY EDWARD J. BRICE ET UX, BY DEED DATED SEPT. 18, 1894, RECORDED IN VOL. H, P. 408, COMAL COUNTY DEED RECORDS.

3. THAT TRACT OF LAND CONVEYED TO D. G. POSEY BY CHAS SCHUBERT, ET UX, BY DEED DATED 12-12- 08, RECORDED IN VOL. 30, P. 236, COMAL COUNTY DEED RECORDS.

4. 194 ACRES OF LAND CONVEYED TO D. G. POSEY AND JOSEPH POSEY BY EVERETT D. POSEY BY DEED DATED JULY 21, 1884, RECORDED IN VOL. R, P. 580, COMAL COUNTY DEED RECORDS.

5. 17 ACRES CONVEYED TO D. G. POSEY BY WALTER PARKER BY DEED DATED 9 24-17, RECORDED IN VOL. 26, P. 55, COMAL COUNTY DEED RECORDS.

6. 94 ACRES CONVEYED TO D. G. POSEY BY J. D. GUINN BY DEED DATED FEB. 28, 1891, RECORDED IN VOL. V, P. 81, COMAL COUNTY DEED RECORDS.

7. 6-1/4 ACRES OF LAND CONVEYED TO D. G. POSEY BY FRITZ RANDOW BY DEED DATED 12-24-06, RECORDED IN VOL. 28, P. 444, COMAL COUNTY DEED RECORDS.

8. 12-1/2 ACRES OF LAND CONVEYED TO DA GRESS POSEY BY EPHRAIM DIATERT AND FRIEDRICH BATTGE BY DEED DATED 2-2-1897, RECORDED IN VOL. X, P. 576, COMAL COUNTY DEED RECORDS.

9. 75 ACRES OF LAND CONVEYED TO D. G. POSEY BY EMIL WEDER BY DEED DATED 4-16-12, RECORDED IN VOL. 33, P. 344, COMAL COUNTY DEED RECORDS.

10. 75 ACRES OF LAND CONVEYED TO D. G. POSEY BY WILHELM GLENEWINKEL, ET UX, BY DEED DATED 3-21-1896 RECORDED IN VOL. X, P.

197, COMAL COUNTY DEED RECORDS.

BEGINNING AT A CORNER FENCE POST ON THE NORTHWEST LINE OF THE SAMUEL CRAFT SURVEY #1, AND THE SOUTHEAST LINE OF THE AUSTIN PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND, SAME BEING ON THE SOUTHEAST LINE OF THAT TRACT OF LAND DESCRIBED AS 2147.1 ACRES OF LAND IN A DEED FROM LILA LOUISE POSEY TO GENE SCRUTCHIN, SAID DEED DATED 4-26-61, RECORDED IN VOL. 123, P. 270, COMAL COUNTY DEED RECORDS, BEING THE NORTH CORNER OF THAT TRACT OF LAND CONVEYED TO H. C. NELSON BY HILMAR DOEHNE BY DEED RECORDED IN VOL. 81, P. 422, COMAL COUNTY DEED RECORDS, AND BEING ALSO THE WEST CORNER OF THE TRACT HEREIN DESCRIBED, AND FROM WHICH BEGINNING CORNER THE WEST CORNER OF THE SAMUEL CRAFT SURVEY AS FENCED AND USED UPON THE GROUND BEARS SOUTH 45° 12' WEST 1417.66 VARAS;

THENCE, LEAVING THE NELSON TRACT WITH THE SOUTHEAST LINE OF THE SCRUTCHIN TRACT AND THE NORTHWEST LINE OF THE SAMUEL CRAFT SURVEY, SAME BEING THE SOUTHEAST LINE OF THE AUSTIN PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND THE FOLLOWING COURSES NUMBERED 1 THROUGH, 12:

(1) NORTH 45° 03' EAST 108.40 VARAS;
(2) NORTH 45° 34' EAST 218.80 VARAS;
(3) NORTH 44° 56' EAST 126.10 VARAS;
(4) NORTH 45° 59' EAST 139.40 VARAS;
(5) NORTH 43° 36' EAST 91.30 VARAS;
(6) NORTH 45° 18' EAST 271.20 VARAS;
(7) NORTH 45° 49' EAST 82.80 VARAS;
(8) NORTH 45° 14' EAST 123.50 VARAS;
(9) NORTH 42° 54' EAST 59.10 VARAS;
(10) NORTH 46° 06' EAST 126.60 VARAS;
(11) NORTH 46° 25' EAST 173.20 VARAS;
(12) NORTH 45° 24' EAST 16.35 VARAS TO A CORNER FENCE POST FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING THE WEST CORNER OF THAT TRACT OF LAND DESCRIBED AS 144 1/20 ACRES OF LAND IN A DEED FROM OTTO PREUSSER, ET AL TO TRAVIS H. TATE, SAID DEED DATED 1- 7-42, RECORDED IN VOL. 74, P. 601, COMAL COUNTY DEED RECORDS;

THENCE, LEAVING THE SOUTHEAST LINE OF THE SCRUTCHIN TRACT AND THE CRAFT-PERKINS SURVEY LINE AS FENCED WITH THE SOUTHWEST LINE OF THE TRAVIS TATE TRACT AS FENCED, THE FOLLOWING COURSES NUMBERED 13 THROUGH 33:

(13) SOUTH 43° 06' EAST 77.24 VARAS TO 14" LIVE OAK;

(14) SOUTH 45° 43' EAST 128.20 VARAS;
(15) SOUTH 45° 36' EAST 195.34 VARAS;
(16) SOUTH 45° 57' EAST 128.20 VARAS;
(17) SOUTH 45° 30' EAST 72.77 VARAS TO 12" CEDAR;
(18) SOUTH 44° 58' EAST 106.54 VARAS;
(19) SOUTH 46° 54' EAST 115.50 VARAS TO 6" LIVE OAK;
(20) SOUTH 45° 42' EAST 49.12 VARAS TO TWIN 6" LIVE OAK;
(21) SOUTH 40° 42' EAST 27.55 VARAS TO 10" CEDAR;
(22) SOUTH 46° 18' EAST 37.15 VARAS TO 16" LIVE OAK;
(23) SOUTH 48° 03' EAST 25.06 VARAS TO TRIPLE 8" LIVE OAK;
(24) SOUTH 42° 21' EAST 32.43 VARAS TO TWIN CEDAR;
(25) SOUTH 45° 57' EAST 98.67 VARAS TO 14" CEDAR;
(26) SOUTH 44° 32' EAST 86.5 VARAS;
(27) SOUTH 46° 04' EAST 64.13 VARAS TO 8" CEDAR;
(28) SOUTH 46° 01' EAST 96.61 VARAS TO 10" CEDAR;
(29) SOUTH 41° 32' EAST 55.21 VARAS TO 6" CEDAR;
(30) SOUTH 46° 48' EAST 48.46 VARAS TO 16" LIVE OAK;
(31) SOUTH 44° 04' EAST 43.87 VARAS TO 6" ELM;
(32) SOUTH 44° 13' EAST 87.37 VARAS TO 8" CEDAR STUMP;
(33) SOUTH 42° 30' EAST 75.14 VARAS TO POST AT ANGLE POINT;

THENCE, CONTINUING WITH LINE OF TATE TRACT AS FENCED, THE FOLLOWING COURSES NUMBERED 34 THROUGH 35:

(34) SOUTH 20° 27' WEST 22.58 VARAS;
(35) SOUTH 45° 45' WEST 247.84 VARAS TO 10" CEDAR ON EAST HIGH BANK OF YORK CREEK; THENCE, WITH EAST HIGH BANK OF YORK CREEK AND FENCE, THE FOLLOWING COURSES NUMBERED 36 THROUGH 50:

(36) SOUTH 8° 10' WEST 35.63 VARAS TO 10" CEDAR;
(37) SOUTH 7° 36' EAST 23.36 VARAS;
(38) SOUTH 26° 18' EAST 12.176 VARAS TO 10" CEDAR;
(39) SOUTH 37° 52' EAST 12.71 VARAS TO 10" CEDAR;
(40) SOUTH 48° 54' EAST 77.20 VARAS TO 12" CEDAR;
(41) SOUTH 44° 00' EAST 30.60 VARAS TO 12" CEDAR;
(42) SOUTH 30° 20' EAST 38.53 VARAS TO 8" CEDAR;
(43) SOUTH 27° 50' EAST 19.90 VARAS TO 14" ELM STUMP;
(44) SOUTH 22° 02' EAST 49.51 VARAS TO 10" CEDAR;
(45) SOUTH 28° 23' EAST 38.92 VARAS TO TWIN 16" LIVE OAK;
(46) SOUTH 17° 31' EAST 29.92 VARAS TO 16" LIVE OAK;
(47) SOUTH 20° 42' EAST 66.02 VARAS TO 10" ELM STUMP;
(48) SOUTH 34° 37' EAST 84.77 VARAS TO 16" LIVE OAK ON EAST BANK OF YORK CREEK AT BEND IN FENCE;
(49) SOUTH 6° 22' WEST 21.65 VARAS TO 8" ELM STUMP ON EAST BANK OF YORK CREEK;
(50) SOUTH 16° 37' WEST 22.58 VARAS TO 12" ELM STUMP FOR THE

SOUTHWEST CORNER OF THE SAID TATE TRACT AS FENCED, SAME BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO C. SOECHTING;

THENCE, LEAVING THE TATE TRACT WITH LINE OF SOECHTING TRACT, AS FENCED, AND USED UPON THE GROUND, THE FOLLOWING NUMBERED COURSES (51) THROUGH (57):

(51) SOUTH 7° 30' WEST AT 20.00 VARAS CROSS YORK CREEK AND CONTINUE ON IN ALL 33.44 VARAS TO 20" CEDAR ON BLUFF;
(52) SOUTH 84° 46' WEST 11.36 VARAS TO 12" CEDAR STUMP;
(53) SOUTH 51° 14' WEST 9.00 VARAS TO 14" CEDAR;
(54) SOUTH 36° 32' WEST 10.38 VARAS TO 6" CEDAR;
(55) SOUTH 44° 45' WEST 21.81 VARAS TO 10" CEDAR;
(56) SOUTH 48° 01' WEST 46.24 VARAS TO 10" CEDAR;
(57) SOUTH 43° 08' WEST 26.35 VARAS TO POINT FOR THE WEST CORNER OF THE SOECHTING TRACT;

THENCE, WITH THE SOUTHWEST LINE OF THE SOECHTING TRACT AS FENCED AND USED UPON THE GROUND, THE FOLLOWING COURSES NUMBERED (58) THROUGH (61):

(58) SOUTH 42° 02' EAST 46.54 VARAS;
(59) SOUTH 44° 22' EAST 107.14 VARAS;
(60) SOUTH 44° 08' EAST 285.00 VARAS;
(61) SOUTH 44° 55' EAST 170.12 VARAS TO A CORNER POST ON THE NORTHWEST LINE OF F.M. HIGHWAY #1102 AT ENGINEERS STATION 92 / 80.0;

THENCE, CROSSING F.M. HIGHWAY #1102 SOUTH 39° 27' EAST 35.00 VARAS TO CORNER POST ON SOUTHEAST OF F.M. HIGHWAY #1102 AT ENGINEER STATION 92+ 87.0. THENCE, LEAVING F.M. HIGHWAY #1102, WITH FENCE AND SOECHTING SOUTHWEST LINE, SOUTH 44° 36' EAST 283.33 VARAS TO CORNER POST FOR THE EAST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING ON THE NORTHWEST LINE OF THE M. K. & T. RAILROAD COMPANY AS FENCED, AND BEING ALSO THE SOUTH CORNER OF THE SOECHTING TRACT;

THENCE, LEAVING THE SOECHTING TRACT WITH THE NORTHWEST LINE OF THE M. K. & T. RAILROAD COMPANY AS FENCED, THE FOLLOWING COURSES NUMBERED (62) THROUGH (64):

(62) SOUTH 49° 09' WEST 281.73 VARAS;
(63) SOUTH 47° 52' WEST 99.56 VARAS;
(64) SOUTH 46° 00' WEST 105.18 VARAS TO A CORNER POST FOR THE MOST

SOUTHERLY CORNER OF THE TRACT HEREIN DESCRIBED, AND THE EAST CORNER OF THE SAID NELSON TRACT AS FENCED;

THENCE, LEAVING THE NORTHWEST LINE OF THE M. K. & T. RAILROAD COMPANY WITH A NORTHEAST LINE OF THE NELSON TRACT AS FENCED NORTH 43° 42' WEST 261.62 VARAS PASSING CORNER POST ON THE SOUTHEAST LINE OF F.M. HIGHWAY #1102 AND CONTINUE ON IN ALL CROSSING F.M. HIGHWAY #1102, 290.86 VARAS TO POINT IN FENCE ON NORTHWEST LINE OF F.M. HIGHWAY #1102 FOR A REENTRANT CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, WITH THE NORTHWEST LINE OF F.M. HIGHWAY #1102, THE FOLLOWING COURSES NUMBERED
(65) THROUGH (66):

(65) SOUTH 47° 14' WEST 84.40 VARAS;
(66) SOUTH 48° 36' WEST 151.38 VARAS TO A CORNER FENCE POST FOR AN EAST CORNER OF THE NELSON TRACT, AND A SOUTH CORNER OF THE TRACT HEREIN DESCRIBED.

THENCE, LEAVING THE NORTHWEST LINE OF F.M. HIGHWAY #1102 AS FENCED WITH A NORTHEAST LINE OF THE NELSON TRACT AS FENCED, NORTH 45° 36' WEST 855.17 VARAS TO CORNER POST FOR A WEST CORNER OF THE TRACT HEREIN DESCRIBED, AND A RE-ENTRANT CORNER OF THE NELSON TRACT;

THENCE, WITH A SOUTHEAST LINE OF THE NELSON TRACT AS FENCED AND USED UPON THE GROUND, NORTH 46° 51' EAST 213.85 VARAS TO A CORNER POST FOR A RE-ENTRANT CORNER OF THE TRACT HEREIN DESCRIBED, AT AN EAST CORNER OF THE NELSON TRACT;

THENCE, WITH A NORTHEAST LINE OF THE NELSON TRACT AS FENCED NORTH 42° 25' WEST 98.98 VARAS TO POINT IN FENCE FOR THE SOUTH CORNER OF A 16 ACRE TRACT OF LAND, OF WHICH 1/2 INTEREST WAS CONVEYED TO FRITZ LOEP BY RICHARD LOEP, ET UX, BY DEED DATED 1-11-10, RECORDED IN VOL. 31, P. 375, COMAL COUNTY DEED RECORDS, AND 1/2 INTEREST CONVEYED TO BERTHOLD LOEP, ET UX, BY ALBERT LOEP, ET AL, BY DEED DATED 2-24-62 RECORDED IN VOL. 127, P. 303, COMAL COUNTY DEED RECORDS, AND FROM WHICH AN OLD 14" CEDAR MARKED "X" WITH 3 HACKS BEARS NORTH 36° 36' WEST 2.87 VARAS, AND AN OLD 20" LIVE OAK MARKED "X" BEARS SOUTH 14° 46' EAST 39.13 VARAS;

THENCE, LEAVING THE NELSON TRACT WITH THE SOUTHEAST LINE OF THE LOEP TRACT, NORTH 47° 31' EAST AT APPROXIMATELY 444.0 VARAS PASSING NAIL IN CENTERLINE OF ROAD FROM WHICH AN OLD ROCK MOUND BEARS SOUTH 17° 56' EAST 12.6 VARAS, AND CONTINUE ON IN ALL

565.06 VARAS TO ANGLE POINT AT TOP OF BLUFF;

THENCE, NORTH 47° 10' EAST AT 73 VARAS PASS CENTERLINE CREEK AND CONTINUE ON IN ALL 91.22 VARAS TO AN OLD ROCK MOUND FOUND IN OLD CREEK CHANNEL FOR A RE-ENTRANT CORNER OF THE TRACT HEREIN DESCRIBED, AND THE EAST CORNER OF THE LOEP TRACT;

THENCE, WITH OLD CHANNEL OF SAID CREEK, THE FOLLOWING TWO COURSES:
(67) NORTH 11° 05' WEST 64.97 VARAS TO ROCK MOUND;
(68) NORTH 26° 23' WEST 87.46 VARAS TO ROCK MOUND BUILT FOR THE NORTH CORNER OF THE LOEP TRACT AND A RE-ENTRANT CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID OLD CREEK CHANNEL, SOUTH 47° 51' WEST AT 86.58 VARAS PASSING OLD ROCK MOUND FOUND AT 123.28 VARAS, PASSING TOP OF BLUFF, AT APPROXIMATELY 190.5 VARAS PASSING NAIL IN CENTERLINE OF ROAD AT 711.79 VARAS, PASSING OLD ROCK MOUND FOUND, AND CONTINUE ON IN ALL 713.29 VARAS TO POINT IN FENCE ON THE NORTHEAST LINE OF THE SAID NELSON TRACT FOR THE WEST CORNER OF THE LOEP TRACT;

THENCE, LEAVING THE LOEP TRACT WITH NORTHEAST LINE OF THE NELSON TRACT AS FENCED, THE FOLLOWING COURSES NUMBERED (69) THROUGH (71):

(69) NORTH 42° 25' WEST 41.15 VARAS;
(70) NORTH 52° 01' WEST 129.08 VARAS;
(71) NORTH 49° 52' WEST 104.34 VARAS TO A CORNER POST FOR A RE-ENTRANT CORNER OF THE TRACT HEREIN DESCRIBED, AND A NORTH CORNER OF THE NELSON TRACT AS FENCED AND USED UPON THE GROUND;

THENCE, WITH A NORTHWEST LINE OF THE NELSON TRACT AS FENCED, SOUTH 46° 09' WEST 438.45 VARAS TO A CORNER POST FOR A RE-ENTRANT CORNER OF THE NELSON TRACT AND A SOUTH CORNER OF THE TRACT HEREIN DESCRIBED; THENCE, WITH A NORTHEAST LINE OF THE NELSON TRACT AS FENCED AND USED UPON THE GROUND, THE FOLLOWING COURSES NUMBERED (72) THROUGH (80):

(72) NORTH 43° 05' WEST 397.95 VARAS;
(73) NORTH 42° 47' WEST 171.62 VARAS;
(74) NORTH 45° 21' WEST 93.56 VARAS;
(75) NORTH 43° 56' WEST 152.90 VARAS;
(76) NORTH 44° 08' WEST 62.25 VARAS;
(77) NORTH 43° 45' WEST 260.50 VARAS;

(78) NORTH 44° 14' WEST 176.40 VARAS;
(79) NORTH 44° 37' WEST 52.15 VARAS;
(80) NORTH 44° 00' WEST 39.16 VARAS TO THE PLACE OF BEGINNING CONTAINING 605.05 ACRES OF LAND, LESS 2.46 ACRES OF LAND WITHIN F.M. HIGHWAY #1102, LEAVING AN AGGREGATE OF 602.59 ACRES OF LAND FOR PURPOSE OF THIS CONVEYANCE, ACCORDING TO A SURVEY MADE IN APRIL AND MAY, 1964, BY JAMES R. HALL, REGISTERED PUBLIC SURVEYOR.

SAVE AND EXCEPT, HOWEVER, FROM THE HEREINABOVE DESCRIBED 602.59 ACRES OF LAND THAT CERTAIN 50.88 ACRE TRACT OF LAND MORE FULLY DESCRIBED IN DEED DATED OCTOBER 15, 1964, FROM WALTER S. HIGGINS, JR., TRUSTEE, TO H. C. NELSON, RECORDED IN VOLUME 141, PAGE 118-20, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, BASED UPON A SURVEY MADE ON THE GROUND BY JAMES R. HALL, REGISTERED PUBLIC SURVEYOR NO. 608, AS SURVEYED SEPTEMBER, 1964, AND SAID 50.88 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.
BEING 50.88 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY #1, COMAL COUNTY, TEXAS, BEING A PORTION OF THAT 602.59 ACRE TRACT OF LAND CONVEYED TO WALTER S. HIGGINS, JR., AS TRUSTEE, BY GEORGE E. HERRMANN AND WIFE, LILA BETH POSEY HERRMANN, BY DEED DATED JUNE 2, 1964, AND RECORDED IN VOLUME 138, PAGES 586-591, COMAL COUNTY DEED RECORDS. BEGINNING AT A CORNER FENCE POST, THE WEST CORNER OF THE SAID HIGGINS 602.59 ACRE TRACT FOR THE WEST CORNER OF THE TRACT HEREIN DESCRIBED AND BEING ON THE NORTHWEST LINE OF THE SAMUEL CRAFT SURVEY #1 AND THE SOUTHEAST LINE OF THE AUSTIN PERKINS SURVEY #25 AS FENCED AND USED UPON THE GROUND, AND BEING ON THE SOUTHEAST LINE OF THAT TRACT DESCRIBED AS 2147.1 ACRES OF LAND IN A DEED FROM LILA LOUISE POSEY TO GENE SCRUTCHIN, SAID DEED DATED APRIL 26, 1961 AND RECORDED IN VOLUME 123, PAGE 270, COMAL COUNTY DEED RECORDS AND BEING ALSO THE NORTH CORNER OF THAT TRACT OF LAND CONVEYED TO H. C. NELSON BY HILMAR DOEHNE BY DEED RECORDED IN VOLUME 81, PAGE 422, COMAL COUNTY DEED RECORDS, AND FROM WHICH BEGINNING CORNER, THE WEST CORNER OF THE SAMUEL CRAFT SURVEY BEARS SOUTH 45 DEG. 12' WEST 1417.66 VARAS. (RECORD)

THENCE WITH FENCE AND SOUTHEAST LINE OF SAID SCRUTCHIN TRACT AND NORTHWEST LINE OF HIGGINS TRACT NORTH 45 DEG. 03' EAST 108.40 VARAS TO ANGLE POINT;

THENCE CONTINUING WITH FENCE AND SOUTHEAST LINE OF SCRUTCHIN TRACT AND NORTHWEST LINE OF HIGGINS TRACT NORTH 45 DEG. 34' EAST 75.10 VARAS TO IRON STAKE AND ROCK MOUND UNDER FENCE FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE LEAVING FENCE AND SCRUTCHIN TRACT SOUTH 45 DEG. 36' EAST 1410.71 VARAS TO IRON STAKE AND ROCK MOUND SET UNDER FENCE ON A NORTHWEST LINE OF THE SAID NELSON TRACT FOR THE EAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE WITH FENCE AND NORTHWEST LINE OF NELSON TRACT SOUTH 46 DEG. 09' WEST 231.16 VARAS TO CORNER POST, THE MOST WESTERLY SOUTH CORNER OF THE SAID HIGGINS TRACT AND A REENTRANT CORNER OF THE SAID NELSON TRACT FOR THE SOUTH CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE WITH FENCE AND NORTHEAST LINE OF NELSON TRACT THE FOLLOWING COURSES NUMBERED (1) THROUGH (9)

(1) NORTH 43 DEG. 05' WEST 397.95 VARAS;
(2) NORTH 42 DEG. 47' WEST 171.62 VARAS;
(3) NORTH 45 DEG. 21' WEST 93.56 VARAS;
(4) NORTH 43 DEG. 56' WEST 152.90 VARAS;
(5) NORTH 44 DEG. 08' WEST 62.25 VARAS;
(6) NORTH 43 DEG. 45' WEST 250.50 VARAS;
(7) NORTH 44 DEG. 14' WEST 175.40 VARAS;
(8) NORTH 44 DEG. 37' WEST 52.15 VARAS;
(9) NORTH 44 DEG. 00' WEST 39.16 VARAS TO THE PLACE OF BEGINNING, CONTAINING 50.88 ACRES OF LAND, SURVEYED SEPTEMBER 1964, BY JAMES R. HALL, REGISTERED PUBLIC SURVEYOR #608, HAYS COUNTY SURVEYOR, SAN MARCOS, TEXAS.

LEAVING A NET OF 551.71 ACRES OF LAND, MORE OR LESS, CONVEYED HEREBY.

TRACT 7:

FIELD NOTES OF A SURVEY OF 20.03 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY #1, COMAL COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO H. C. NELSON BY HILMAN DOEHNE BY DEED RECORDED IN VOLUME 81, PAGE 422, COMAL COUNTY DEED RECORDS.

BEGINNING AT AN IRON STAKE AND ROCK MOUND SET UNDER A FENCE ON A SOUTHEAST LINE OF THAT 602.59 ACRE TRACT OF LAND CONVEYED TO WALTER S. HIGGINS, JR., AS TRUSTEE, BY GEORGE E. HERRMANN AND WIFE, LILA BETH POSEY HERRMANN, BY DEED DATED JUNE 2, 1964, AND RECORDED IN VOLUME 138, PAGES 585-591, COMAL COUNTY DEED RECORDS FOR THE WEST CORNER OF THE TRACT HEREIN DESCRIBED AND

FROM WHICH IRON STAKE AND BEGINNING CORNER THE WEST CORNER OF THE SAMUEL CRAFT SURVEY #1 BEARS SOUTH 86° 14' 2148.82 VARAS. (RECORD)

THENCE LEAVING FENCE AND HIGGINS SOUTHEAST LINE SOUTH 45° 36' EAST 513.75 VARAS TO CORNER FENCE POST FOR THE SOUTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING THE MOST SOUTHERLY WEST CORNER OF THE SAID HIGGINS 602.59 ACRE TRACT;

THENCE WITH FENCE AND A NORTHWEST LINE OF HIGGINS TRACT NORTH 46° 51' EAST 213.85 VARAS TO CORNER POST FOR THE EAST CORNER OF THE TRACT HEREIN DESCRIBED AND A RE-ENTRANT CORNER OF THE SAID HIGGINS TRACT AND A EAST CORNER OF THE SAID NELSON TRACT;

THENCE WITH FENCE AND SOUTHWEST LINE OF HIGGINS TRACT NORTH 42° 25 WEST AT 98.98 VARAS PASSING ROCK MOUND, THE MOST SOUTHERLY CORNER OF THAT TRACT OF 17.4 ACRES OF LAND DESCRIBED IN A DEED FROM ALBERT LOEP, ET AL, TO BERTHOLD LEOP, ET UX, SAID DEED DATED FEBRUARY 24, 1962, AND RECORDED IN VOLUME 127, PAGE 303, COMAL COUNTY DEED RECORDS AND AT 243.61 VARAS PASS ROCK MOUND FOR WEST CORNER OF LOEP TRACT AND CONTINUE ON IN ALL 284.76 VARAS TO ANGLE POINT;

THENCE CONTINUING WITH FENCE AND SOUTHWEST LINE OF HIGGINS TRACT NORTH 52° 01' WEST 129.08 VARAS TO ANGLE POINT;

THENCE WITH FENCE AND SOUTHWEST LINE OF HIGGINS TRACT NORTH 49° 52' WEST 104.34 VARAS TO CORNER FENCE POST, A RE-ENTRANT CORNER OF SAID HIGGINS TRACT AND THE MOST EASTERLY NORTH CORNER OF THE NELSON TRACT FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE WITH FENCE AND NORTHWEST LINE OF NELSON TRACT AND SOUTHEAST LINE OF HIGGINS TRACT SOUTH 46° 09' WEST 207.29 VARAS TO THE PLACE OF BEGINNING CONTAINING 20.03 ACRES OF LAND, SURVEYED SEPTEMBER, 1954, BY JAMES R. HALL, REGISTERED PUBLIC SURVEYOR #608, HAYS COUNTY SURVEYOR, SAN MARCOS, TEXAS.

TRACT 8:

BEING 104.72 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY IN COMAL COUNTY, TEXAS, THERE BEING 3.39 ACRES OF LAND WITHIN F. M. HIGHWAY #1102 AND 3.66 ACRES WITHIN THE M. K. & T. RR. CO. RIGHT-OF-WAY, LEAVING 97.67 ACRES FOR CONVEYANCE, AND BEING THAT TRACT OF LAND DESCRIBED AS 104.00 ACRES OF LAND, MORE OR LESS, AND

ABOUT 3 ACRES OF LAND IN A DEED FROM A. C. SOECHTING TO CHAS. SOECHTING, DATED 2-8-13, RECORDED IN VOL. 34, P. 6, COMAL COUNTY DEED RECORDS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CORNER POST FOR THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING A RE-ENTRANT CORNER OF THAT TRACT OF 602.59 ACRES OF LAND CONVEYED TO WALTER HIGGINS, JR., TRUSTEE, BY GEO E. HERRMANN, ET UX, BY DEED DATED 6-2-64, RECORDED IN VOL. 138, P. 586, COMAL COUNTY DEED RECORDS AND FROM WHICH CORNER POST AND BEGINNING CORNER, THE WEST CORNER OF THE SAMUEL CRAFT SURVEY AS FENCED AND USED UPON THE GROUND BEARS SOUTH 87° 52' WEST 3212.65 VARAS (RECORD);

THENCE, WITH FENCE AND SOUTH LINE OF SAID HIGGINS TRACT, THE FOLLOWING COURSES NUMBERED (1) THROUGH (7):

(1) NORTH 43° 08 EAST; 26.35 VARAS;
(2) NORTH 48° 01 EAST; 46.24 VARAS;
(3) NORTH 44° 45 EAST; 21.81 VARAS;
(4) NORTH 36° 32 EAST; 10.38 VARAS;
(5) NORTH 51° 14 EAST; 9.00 VARAS;
(6) NORTH 84° 46 EAST; 11.36 VARAS;
(7) NORTH 7° 30 EAST; 15.22 VARAS TO A POINT IN THE APPROXIMATE CENTERLINE OF YORK CREEK FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED AND A NORTHWEST CORNER OF THE TRACT OF 144.05 ACRES OF LAND CONVEYED TO TRAVIS H. TATE BY OTTO PREUSSER, ET AL, BY DEED DATED 1-7-42, RECORDED IN VOL. 74, P. 601, COMAL COUNTY DEED RECORDS;

THENCE, WITH SOUTH LINE OF TATE TRACT AND APPROXIMATE CENTERLINE OF YORK CREEK, THE FOLLOWING COURSES NUMBERED (8) THROUGH (13):

(8) SOUTH 84° 58' EAST; 87.73 VARAS;
(9) NORTH 77° 52 EAST; 61.09 VARAS;
(10) NORTH 75° 18 EAST; 266.40 VARAS;
(11) SOUTH 72° 43 EAST; 50.87 VARAS;
(12) SOUTH 58° 46 EAST; 34.56 VARAS;
(13) SOUTH 80° 62 EAST; 108.02 VARAS TO POINT UNDER FENCE IN THE APPROXIMATE CENTERLINE OF YORK CREEK FOR ANGLE POINT;

THENCE, LEAVING APPROXIMATE CENTERLINE OF YORK CREEK WITH OLD FENCE AND WEST LINE OF SAID TATE TRACT, SOUTH 44° 19 EAST 254.1 VARAS TO ANGLE POINT;

THENCE, CONTINUING WITH FENCE AND WEST LINE OF TATE TRACT, SOUTH 43° 14 EAST 151.46 VARAS TO CORNER POST ON THE NORTHWEST LINE OF F. M. HIGHWAY #1102;

THENCE, CROSSING F.M. HIGHWAY #1102, SOUTH 42° 28 EAST 38.53 VARAS TO CORNER POST ON THE SOUTHEAST SIDE OF F. M. HIGHWAY #1102;

THENCE, WITH WEST LINE OF TATE TRACT AS FENCED AND USED UPON THE GROUND, SOUTH 45° 12 EAST AT 139.7 VARAS CROSSING CENTERLINE OF M. K. & T. RR. CO. RIGHT OF WAY AND CONTINUING ON IN ALL 372.52 VARAS TO A POINT ON THE NORTHWEST RIGHT OF WAY LINE OF I. & G. N. RAILROAD CO. FOR THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED, AND A SOUTHWEST CORNER OF THE SAID TATE TRACT;

THENCE, WITH THE NORTHWEST LINE OF I. & G. N. RR. CO. RIGHT OF WAY, SOUTH 49° 31 WEST 568.17 VARAS TO CORNER POST FOR THE MOST SOUTHERLY CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING I. & G. N. RR. RIGHT OF WAY LINE WITH FENCE, NORTH 45° 37 WEST 212.4 VARAS TO CORNER POST ON THE SOUTHEAST SIDE OF M. K. & T. RR. CO. RIGHT OF WAY;

THENCE, NORTH 46° 05 WEST CROSSING M. K. & T. RR. RIGHT OF WAY, 36.2 VARAS TO CORNER POST ON THE NORTHWEST LINE OF M. K. & T. RR. CO. RIGHT OF WAY FOR THE EAST CORNER OF SAID WALTER HIGGINS 602.59 ACRE TRACT;

THENCE, WITH FENCE AND NORTHEAST LINE OF SAID HIGGINS 602.59 ACRE TRACT, NORTH 44° 36 WEST 283.33 VARAS TO CORNER POST ON THE SOUTHEAST SIDE OF F.M. HIGHWAY #1102 AT ENGINEER'S STATION 92 / 87.0;

THENCE, NORTH 39° 27 WEST CROSSING F.M. HIGHWAY #1102, 35.0 VARAS TO CORNER POST ON NORTHWEST SIDE OF F.M. HIGHWAY #1102;

THENCE, WITH FENCE AND HIGGINS NORTHEAST LINE, THE FOLLOWING COURSES NUMBERED (14) THROUGH (17):

(14) NORTH 44° 56 WEST; 170.12 VARAS;
(15) NORTH 44° 08 WEST; 285.00 VARAS;
(16) NORTH 44° 22 WEST; 107.14 VARAS;
(17) NORTH 42° 02 WEST; 46.54 VARAS TO THE PLACE OF BEGINNING, THERE BEING 104.72 ACRES OF LAND WITHIN THIS DESCRIPTION, OF WHICH 3.39 ACRES ARE WITHIN F.M. HIGHWAY #1102 AND 3.66 ACRES ARE WITHIN THE M. K. & T. RR. CO. RIGHT OF WAY, LEAVING 97.67 ACRES OF LAND FOR THE PURPOSE OF CONVEYANCE, AND BEING THE SAME LAND MORE FULLY

DESCRIBED BY METES AND BOUNDS IN DEED DATED NOVEMBER 4, 1964, RECORDED IN VOLUME 141, PAGES 244-247, DEED RECORDS OF COMAL COUNTY, TEXAS, FROM OLLIE MAE STOCKS, ET AL, TO WALTER S. HIGGINS, JR., TRUSTEE, AND IN GUARDIAN DEED DATED NOVEMBER 4, 1964, RECORDED IN VOLUME 141, PAGES 248-250, DEED RECORDS OF COMAL COUNTY, TEXAS, FROM MARGARET FIELDS, GUARDIAN OF THE PERSON AND ESTATE OF IDA SOECHTING, A PERSON OF UNSOUND MIND, TO WALTER S. HIGGINS, JR., TRUSTEE.

TRACT 9:

BEING ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, LYING AND BEING SITUATED IN COMAL COUNTY, TEXAS AND BEING 475.659 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1 (ONE), ABSTRACT NO. 98, AND ALSO BEING OUT OF A 259.4 ACRE TRACT AS DESCRIBED IN VOLUME 95, PAGES 261-262 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND ALSO BEING OUT OF A TRACT OF LAND, DESCRIBED IN 5 (FIVE) SEPARATE TRACTS AND RECORDED IN VOLUME 81, PAGES 422-423 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND ALSO BEING ALL OF A 50.88 ACRE TRACT AS DESCRIBED IN IN VOLUME 141, PAGES 118-119, OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: AT A FENCE CORNER IN THE NORTHWEST FENCE LINE OF SURVEY NO. 1, SAID POINT BEING THE WEST CORNER OF ABOVE REFERENCED 259.4 ACRE TRACT AND ALSO BEING NORTH 45° 36' 41" EAST 1042.99 FEET FROM THE WEST CORNER OF SURVEY NO. 1, FOR THE WEST CORNER OF THIS TRACT;

THENCE NORTH 45° 45' 05" EAST ALONG THE NORTHWEST FENCE LINE OF SURVEY NO. 1 AND PASSING THE WEST CORNER OF ABOVE REFERENCED TRACT AS RECORDED IN VOLUME 81, PAGES 422-423 AT APPROXIMATELY 1019.44 FEET AND CONTINUING ON A TOTAL DISTANCE OF 3403.30 FEET TO A FENCE CORNER, FOR THE NORTH CORNER OF THIS TRACT, SAID POINT ALSO BEING THE NORTH CORNER OF ABOVE REFERENCED 50.88 ACRE TRACT;

THENCE SOUTH 44° 56' 12" EAST 2306.90 FEET AND SOUTH 44° 58' 06" EAST 848.48 FEET ALONG AN EXISTING FENCE LINE TO THE NORTH CORNER OF THE NELSON WELL SITE CONVEYED TO CRYSTAL CLEAR WATER SUPPLY CORPORATION, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 45° 01' 54" WEST 60.0 FEET, SOUTH 44° 58' 06" EAST 60.0 FEET, AND NORTH 45° 01' 54" EAST 60.0 FEET AROUND THE PERIMETER OF SAID WELL SITE TO AN IRON PIN FOUND IN FENCE LINE, FOR THE EAST

CORNER OF SAID WELL SITE AND A CORNER OF THIS TRACT;

THENCE SOUTH 44° 58' 06" EAST 4449.79 FEET ALONG SAID FENCE LINE TO THE NORTH CORNER OF THE NELSON PLANT SITE CONVEYED TO CRYSTAL CLEAR WATER SUPPLY CORPORATION FOR A CORNER OF THIS TRACT;

THENCE SOUTH 49° 22' 06" WEST 50.0 FEET AND SOUTH 44° 58' 06" EAST 50.0 FEET AROUND THE PERIMETER OF SAID PLANT SITE TO THE SOUTH CORNER OF SAME, SAID POINT BEING IN THE EXISTING NORTHWEST R.O.W LINE OF F.M. HIGHWAY NO. 1102, FOR A CORNER OF THIS TRACT;

THENCE ALONG THE EXISTING R.O.W. LINE OF THE F.M. HIGHWAY NO. 1102 AS FOLLOWS:

SOUTH 49° 22' 06" WEST 0.70 FEET;
SOUTH 49° 15' 51" WEST 66.07 FEET;
SOUTH 47° 21' 30" WEST 100.08 FEET;
SOUTH 45° 49' 20" WEST 87.49 FEET;
SOUTH 44° 57' 14" WEST 275.66 FEET TO AN IRON PIN SET IN SAME FOR A CORNER OF THIS TRACT;

THENCE NORTH 45° 00' 00" WEST 1586.97 FEET TO AN IRON PIN SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE WEST 565.68 FEET TO AN IRON PIN SET FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE SOUTH 45° 00' 00" WEST 2416.21 FEET TO AN IRON PIN SET IN THE SOUTHWEST FENCE LINE OF ABOVE REFERENCED 259.4 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE NORTH 44° 57' 18" WEST 3791.54 FEET, NORTH 45° 15' 27" WEST 714.37 FEET, AND NORTH 45° 03' 58" WEST 1253.0 FEET ALONG SAID SOUTHWEST FENCE LINE TO THE PLACE OF BEGINNING AND CONTAINING 475.659 ACRES OF LAND, MORE OR LESS.

TRACT 10:

BEING A 1.995 ACRE TRACT OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98, COMAL COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN CALLED 2.000 ACRE TRACT CONVEYED BY H. C. NELSON, SR., ET AL TO ROBERT N. CARNES AND WIFE, JERALDINE CARNES BY DEED DATED APRIL 25, 1985 AND RECORDED IN VOLUME 450 ON PAGES 306-309 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, SAID 1.995 ACRE TRACT DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS

AS FOLLOWS:

BEGINNING AT A 1/2" RE-BAR ROD FOUND AT A CORNER POST IN THE NORTHWEST LINE OF F. M. 1102, FOR THE EAST CORNER OF A 2.501 ACRE TRACT CONVEYED TO ROMAN M. TORRES AND WIFE, EVA R. TORRES BY DEED DATED FEBRUARY 27, 1987 AND RECORDED IN VOLUME 570 ON PAGES 766-767 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, FOR THE SOUTH CORNER OF THE ROBERT N. CARNES AND WIFE CALLED 2.000 ACRE TRACT, FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED 1.995 ACRE TRACT;

THENCE WITH THE FENCE, THE NORTHEAST LINE OF THE ROMAN M. TORRES AND WIFE 2.501 ACRE TRACT, WITH THE SOUTHWEST LINE OF THE CARNES CALLED 2.000 ACRE TRACT, NORTH 43° 41' 26" WEST 404.52 FEET (DEED CALL NORTH 43° 39' 16" WEST 404.90 FEET) TO A 1/2" RE-BAR ROD FOUND AT A CORNER POST FOR A SOUTH CORNER OF A 122.396 ACRE TRACT CONVEYED TO TXI CEMENT CO. BY DEED DATED JUNE 6, 1987 AND RECORDED IN VOLUME 570 ON PAGES 788-791 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, FOR THE WEST CORNER OF THE CARNES CALLED 2.000 ACRE TRACT, FOR THE WEST CORNER OF THIS 1.995 ACRE TRACT;

THENCE WITH THE FENCE, A SOUTHEAST LINE OF THE TXI CEMENT CO. 122.396 ACRE TRACT, WITH THE NORTHWEST LINE OF THE CARNES CALLED 2.000 ACRE TRACT, NORTH 46° 20' 51" EAST 216.32 FEET (DEED CALL NORTH 46° 22' 59" EAST 216.61 FEET) TO A 1/2" REBAR ROD FOUND AT A CORNER POST FOR A RE-ENTRANT CORNER OF THE TXI CEMENT CO. 122.396 ACRE TRACT, OR THE NORTH CORNER OF THE CARNES CALLED 2.000 ACRE TRACT, FOR THE NORTH CORNER OF THIS 1.995 ACRE TRACT;

THENCE WITH THE FENCE, A SOUTHWEST LINE OF THE TXI CEMENT CO. 122.396 ACRE TRACT, WITH THE NORTHEAST LINE OF THE CARNES CALLED 2.000 ACRE TRACT, SOUTH 43° 39' 16" EAST 399.58 FEET (DEED CALL SOUTH 43° 39' 16" EAST 399.50 FEET, REFERENCE BEARING) TO A 1/2" RE-BAR ROD FOUND AT A CORNER POST IN THE NORTHWEST LINE OF F. M. 1102, FOR A SOUTH CORNER OF THE TXI CEMENT CO. 122.396 ACRE TRACT, FOR THE EAST CORNER OF THE CARNES CALLED 2.000 ACRE TRACT, FOR THE EAST CORNER OF THIS 1.995 ACRE TRACT;

THENCE WITH THE NORTHWEST LINE OF F. M. 1102, WITH THE SOUTHEAST LINE OF THE CARNES CALLED 2.000 ACRE TRACT, SOUTH 45° 02' 16" WEST 216.13 FEET (DEED CALL SOUTH 44° 57' 14" WEST 216.67 FEET) TO THE PLACE OF BEGINNING. ALL ACCORDING TO A SURVEY MADE ON THE GROUND UNDER THE SUPERVISION OF GERARD S. SCHOLLER, R.P.L.S. 1876, ON APRIL 12, 2000.

TRACT 11:

BEING THAT PORTION OF LAND OUT OF A 259.4 ACRE TRACT AS DESCRIBED IN VOLUME 95, PAGES 261-262 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS AND ALSO BEING OUT OF A TRACT OF LAND, DESCRIBED IN 5 (FIVE) SEPARATE TRACTS AND RECORDED IN VOLUME 81, PAGES 422-423 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS.

BEING AND INTENDED TO BE A PORTION OF THE PROPERTY CONVEYED TO GRANTOR BY CORRECTION WARRANTY DEED RECORDED ON JANUARY 30, 2002 UNDER DOCUMENT #200206003513 OF THE DEED RECORDS OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, SUCH PORTION AS MORE PARTICULARLY DESCRIBED IN WARRANTY DEED WITH VENDOR'S LIEN CONVEYED TO TXI CEMENT COMPANY RECORDED ON MAY 18, 1987 IN VOLUME 570, PAGES 788-791 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, SUCH PROPERTY ALSO BEING DESCRIBED AS:

BEING 122.396 ACRES OF LAND OUT OF THE SAMUEL CRAFT SURVEY NO. 1, ABSTRACT NO. 98 AND ALSO BEING OUT OF THE CENTRAL PORTION OF A 259.4 ACRE TRACT RECORDED IN VOLUME 95, PAGES 261-262 AND ALSO BEING OUT OF A TRACT CALLED 559.5 ACRES, CALLED SECOND TRACT, RECORDED IN VOLUME 81, PAGES 422-423 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FENCE CORNER AT THE INTERSECTION OF THE SOUTHWEST FENCED LINE OF THE ABOVE REFERENCED 259.4 ACRE TRACT AND THE NORTHWEST LINE OF F. M. HIGHWAY NO. 1102, FOR THE SOUTH CORNER OF THIS TRACT;

THENCE NORTH 44° 56' 24" WEST 383.78 FEET, ALONG SAID SOUTHWEST FENCED LINE, TO THE SOUTH CORNER OF A 0.110 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE AROUND THE BOUNDARY OF SAID 0.110 ACRE TRACT, NORTH 45° 03' 36" EAST 60.0 FEET, NORTH 44° 56' 24" WEST 80.0 FEET, AND SOUTH 45° 03' 36" WEST 60.0 FEET TO ITS WEST CORNER IN THE SOUTHWEST FENCED LINE OF THE ABOVE REFERENCED 259.4 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE CONTINUING ALONG THE SOUTHWEST FENCED LINE OF SAID 259.4 ACRE TRACT, NORTH 44° 56' 24" WEST 515.17 FEET AND NORTH 44° 57' 18" WEST 1066.99 FEET TO A POINT IN SAME FOR THE WEST CORNER OF THIS TRACT, SAID POINT ALSO BEING A SOUTH CORNER OF A 475.659 ACRE TRACT RECORDED IN VOLUME 270, PAGE 830, OF THE DEED RECORDS OF

COMAL COUNTY, TEXAS;

THENCE AROUND THE SOUTHERLY BOUNDARY OF SAID 475.659 ACRE TRACT, NORTH 45° 00' 00" EAST 2416.21 FEET, EAST 565.68 FEET, AND SOUTH 45° 00' 00" EAST 1586.97 FEET TO A SOUTH CORNER OF SAID 475.659 ACRE TRACT AT THE INTERSECTION OF SAID SOUTHERLY LINE AND THE NORTHWEST LINE OF F. M. HIGHWAY NO. 1102, FOR THE EAST CORNER OF THIS TRACT;

THENCE SOUTH 44° 57' 14" WEST 237.87 FEET, ALONG THE NORTHWEST LINE OF F. M. HIGHWAY NO. 1102, TO THE EAST CORNER OF A 2.0 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE NORTH 43° 39' 16" WEST 399.50 FEET, THE NORTH CORNER OF SAID 2.0 ACRE TRACT, AND SOUTH 46° 22' 59" WEST 216.61 FEET TO THE WEST CORNER OF SAID 2.0 ACRE TRACT IN THE NORTHEAST LINE OF A 2.501 ACRE TRACT, FOR AN INTERIOR CORNER OF THIS TRACT;

THENCE NORTH 43° 39' 16" WEST 93.70 FEET TO THE NORTH CORNER OF SAID 2.501 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 43° 39' 52" WEST 234.88 FEET TO THE WEST CORNER OF SAID 2.501 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE SOUTH 47° 09' 01" EAST 493.50 FEET TO THE SOUTH CORNER OF SAID 2.501 ACRE TRACT IN THE NORTHWEST LINE OF F. M. HIGHWAY NO. 1102, FOR A CORNER OF THIS TRACT;

THENCE ALONG THE NORTHWEST LINE OF SAID F. M. HIGHWAY NO. 1102, SOUTH 44° 57' 14" WEST 1626.71 FEET, SOUTH 43° 20' 50" WEST 124.02 FEET, SOUTH 38° 45' 09" WEST 150.96 FEET, AND SOUTH 36° 49' 03" WEST 260.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 122.396 ACRES OF LAND, MORE OR LESS.

LESS, SAVE AND EXCEPT, AND THERE IS HEREBY EXCLUDED HEREFROM, AND THIS CONVEYANCE IS MADE AND ACCEPTED EXPRESSLY SUBJECT TO, THE HERETOFORE ASSIGNED WATER RIGHTS AND EASEMENTS GRANTED OVER AND ACROSS THE SUBJECT TRACT FOR THE ENJOYMENT AND/OR USE OF THE SAME, WHICH RIGHTS AND EASEMENTS ARE MORE FULLY SET FORTH IN A DEED OF PARTITION EXECUTED BY GRANTORS HEREIN AND HERMAN C. NELSON, III, DAVID LEE NELSON, DOROTHY NELSON, HERMAN C. NELSON, III, TRUSTEE OF THE HERMAN C. NELSON, JR., UNIFIED CREDIT EXEMPTION EQUIVALENT BYPASS TRUST, AND HERMAN C. NELSON, III, TRUSTEE OF THE HERMAN C. NELSON, JR., MARTIAL DEDUCTION TRUST, DULY RECORDED IN THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COMAL COUNTY, TEXAS, REFERENCE TO

WHICH DEED OF PARTITION IS HERE MADE FOR A FULL DESCRIPTION OF SAID RIGHTS AND EASEMENTS.

AS TO TRACTS 1-11:

LESS, SAVE AND EXCEPT, AND THERE IS HEREBY EXCLUDED HEREFROM, AND THIS CONVEYANCE IS MADE AND ACCEPTED EXPRESSLY SUBJECT TO, THE EXCLUSION OF THE PROPERTY CONVEYED TO FLYING W. PROPERTIES, LTD. BY SPECIAL WARRANTY DEED RECORDED ON JANUARY 22, 2019 UNDER DOCUMENT #201906002389 OF THE DEED RECORDS OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY TEXAS, SUCH PROPERTY ALSO BEING DESCRIBED AS:

All that certain tract or parcel of land containing 215.81 acres of land out of the Austin Perkins Survey No. 25, Abstract No. 473 and the Samuel Craft Survey No. I, Abstract No. 98, Comal County, Texas, further being out of that certain called 2165.60 acre tract of land described in Document No. 200206003513 of the Official Public Records of Comal County, Texas and that certain called 602.59 acre tract of land described as Tract 3 in Volume 265, Page 849 of the Deed Records of Comal County, Texas; Said 215.81 acre tract being more particularly described by metes and bounds as follows with all bearings and coordinates called for herein based on the South Central Zone of the Texas Coordinate System:

BEGINNING at a ½ inch rebar set (N: 13844181.40, E: 2274080.07) on the common line of said 602.59 acre tract with that certain called 598.145 acre tract recorded in Volume 345, Page 395 of said Deed Records of Comal County, Texas for the most southerly corner and POINT OF BEGINNING of this tract;

THENCE into said 602.59 acre tract and said 2165.60 acre tract, the following twenty-two (22) courses:

1. North 37 deg 14' 22" West, a distance of 582.04 feet to a ½ inch rebar set;
2. South 49 deg 04' 30" West, a distance of 649.54 feet to a ½ inch rebar set;
3. North 60 deg 26' 29" West, a distance of 828.85 feet to a ½ inch rebar set;
4. North 74 deg 11' 10" West, distance of 572.12 feet to a P.K. nail set;
5. North 67 deg 25' 45" West, a distance of 198.97 feet to a P.K. nail set;
6. North 69 deg 04' 44" West, a distance of 156.17 feet to a P.K. nail set;
7. North 38 deg 48' 14" West, a distance of 121.62 feet to a P.K. nail set;
8. North 00 deg 53' 34" West, a distance of 261.63 feet to a P.K. nail set;
9. North 22 deg 18' 16" West, a distance of 176.01 feet to a P.K. nail set;
10. North 35 deg 57' 30" West, a distance of 2427.94 feet to a P.K. nail set;
11. North 29 deg 31' 48" West, a distance of 370.53 feet to a ½ inch rebar set;
12. North 09 deg 06' 33" West, a distance of 200.90 feet to a ½ inch rebar set;
13. North 09 deg 09' 58" West, a distance of 224.51 feet to a ½ inch rebar set;
14. North 01 deg 39' 13" East, a distance of 192.00 feet to a ½ inch rebar set;

15. North 01 deg 25' 29" East, a distance of 171.16 feet to a ½ inch rebar set;
16. North 25 deg 28' 53" West, a distance of 425.35 feet to a ½ inch rebar set;
17. North 36 deg 05' 36" West, a distance of 278.37 feel to a ½ inch rebar set;
18. North 54 deg 03' 45" West, a distance of 206.91 feet to a ½ inch rebar set;
19. North 36 deg 15' 55" West, a distance of 195.22 feet to a ½ inch rebar set;
20. North 40 deg 19' 16" West, a distance of 576.06 feet to a ½ inch rebar set;
21. North 40 deg 02' 52" West, a distance of 424.27 feet to a ½ inch rebar set;
22. North 43 deg 56' 03" East, a distance of 1119.14 feet to a fence post found (N:, E:)on the common line of said 2165.60 feet with that certain called 845.397 acre tract recorded in Document No. 201206007101 of said Official Public Records for the most northerly corner of this parcel;
THENCE with said common line, the following three (3) courses:

1. South 45 deg 30' 48" East, a distance of 1219.40 feet to a ½ inch rebar set;
2. South 45 deg 01' 00" East, a distance of 1451.03 feet to a ½ inch rebar set;
3. South 44 deg 50' 37" East, a distance of 853.61 feet to a ½ inch rebar set for an easterly corner of this tract, same being an exterior corner of said 598.145 acre tract;

THENCE with the common line of said 2165.60 acre tract with said 598.145 acre tract, South 43 deg 43' 16" West, a distance of 1298.78 feel to a ½ inch rebar set for an interior corner of this tract, same being the westerly corner of said 598.145 acre tract and the northerly corner of said 602.59 acre tract;

THENCE with the common line of said 598.145 acre tract with said 602.59 acre tract the following twenty-six (26) courses:

1. South 44 deg 04' 21" East, a distance of 274.54 feet to a created point;
2. South 45 deg 36' 27" East, a distance of 376.63 feet to a created point;
3. South 46 deg 06' 59" East, a distance of 814.36 feet to a created point;
4. South 44 deg 47' 25" East, a distance of 60.82 feet to a created point;
5. South 51 deg 10' 10" East, a distance of 18.05 feet to a created point;
6. South 42 deg 00' 58" East, a distance of 41.77 feet to a created point;
7. South 45 deg 39' 35" East, a distance of 307.30 feet to a created point;
8. South 46 deg 16' 39" East, a distance of 130.12 feet to a created point;
9. South 47 deg 55' 53" East, a distance of 150.09 feet to a created point;
10. South 46 deg 07' 07" East, a distance of 253.48 feet to a created point;
11. South 41 deg 16' 42" East, a distance of 75.76 feel to a created point;
12. South 46 deg 33' 39" East, a distance of 103.71 feet to a ½ inch rebar set;
13. South 47 deg 54' 04" East, a distance of 67.69 feet to a created point;
14. South 43 deg 55' 23" East, a distance of 149.01 feet to a created point;
15. South 45 deg 40' 35" East, a distance of 398.52 feet to a created point;
16. South 44 deg 36' 16" East, a distance of 96.78 feet to a created point;
17. South 46 deg 52' 05" East, a distance of 137.86 feet to a created point;
18. South 46 deg 10' 55" East, a distance of 267.65 feet to a ½ inch rebar set;
19. South 41 deg 46' 48" East, a distance of 153.18 feet to a created point;
20. South 46 deg 07' 45" East, a distance of 90.18 feet to a created point;
21. South 46 deg 21' 09" East, a distance of 118.62 feet to a created point;

22. South 44 deg 09' 40" East, a distance of 261.36 feet to a created point;
23. South 42 deg 41' 25" East, a distance of 118.26 feet to a created point;
24. South 43 deg 43' 45" East, a distance of 117.51 feet to a ½ inch rebar set;
25. South 20 deg 15' 37" West, a distance of 63.43 feet to a ½ inch rebar set;
26. South 45 deg 58' 17" West, a distance of 116.92 feet to the POINT OF BEGINNING and containing 215.81 acres of land with all set ½ inch rebars marked with a yellow plastic cap stamped "RPLS 4907."

EXHIBIT B

DEPICTION OF THE HUNTER QUARRY

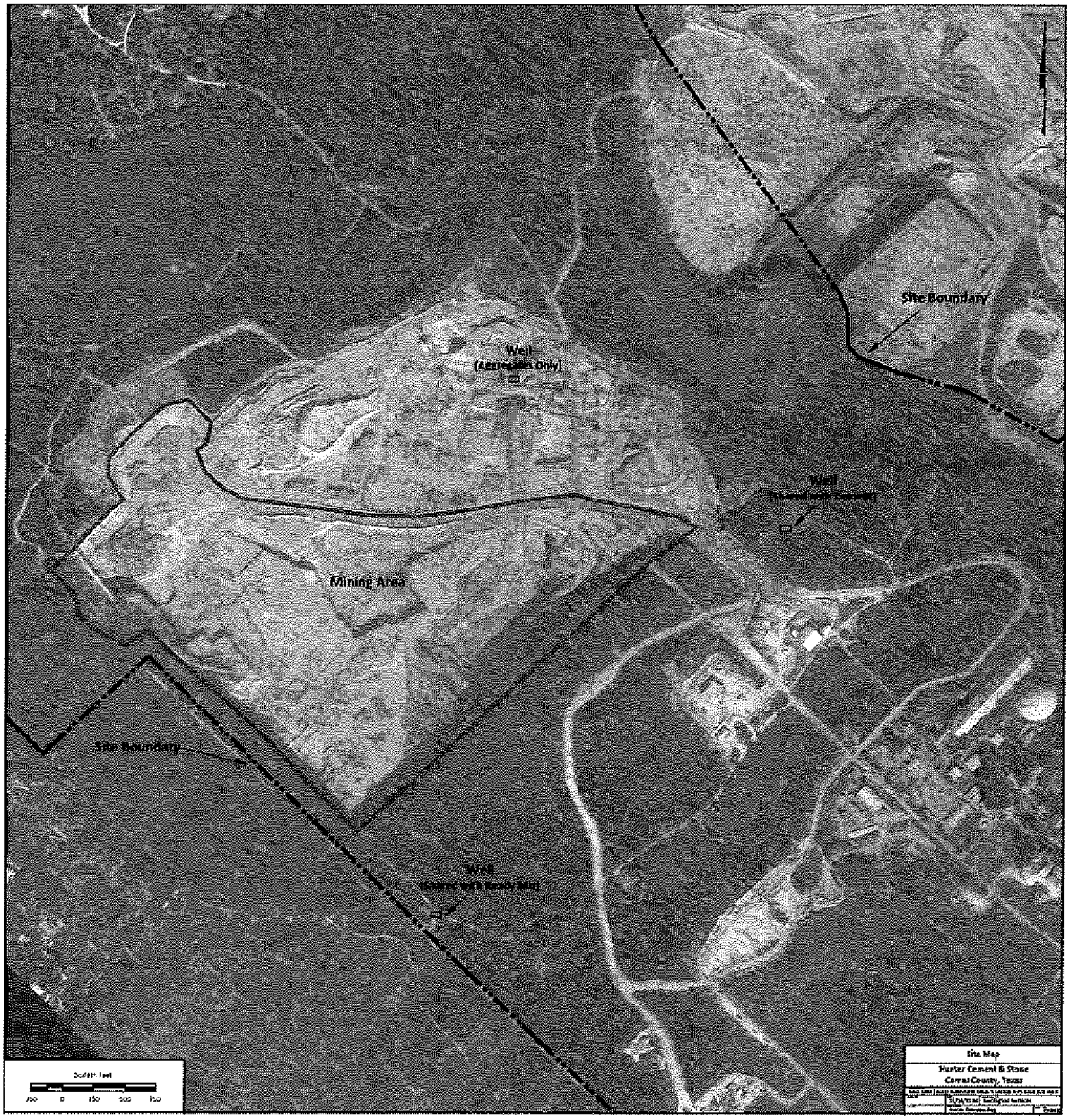
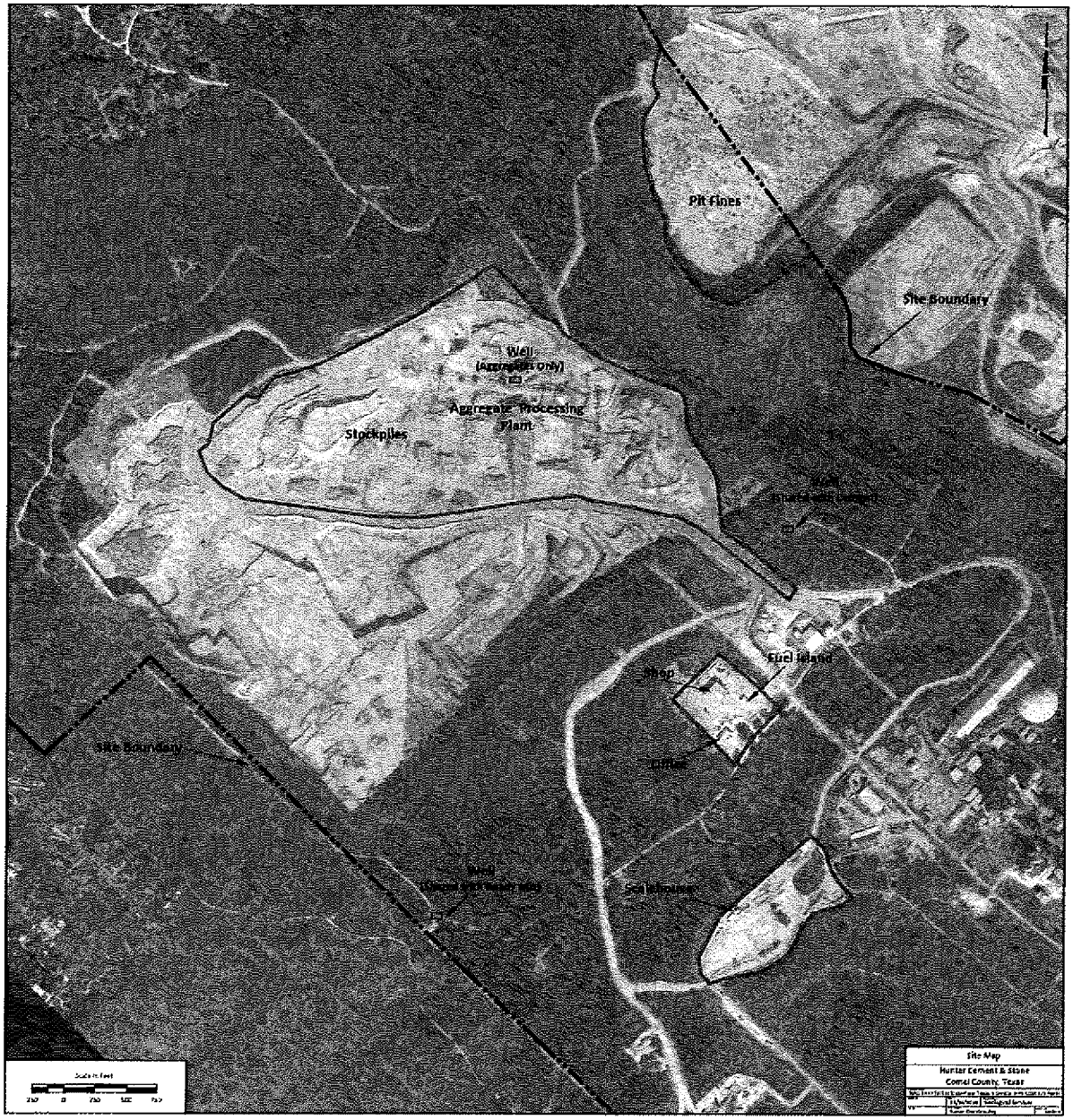


EXHIBIT C

DEPICTION OF THE LICENSED PROCESSING AREA



Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
02/13/2024 12:11:01 PM
LAURA 35 Pages(s)
202406004426

Bobbie Koepp

[[6275695]]

MARTIN MARIETTA MATERIALS, INC.

ASSISTANT SECRETARY'S CERTIFICATE

I, Eric S. Brown, do hereby certify that:

1. I am the duly appointed, qualified and acting Assistant Secretary of Martin Marietta Materials, Inc. (the "Corporation"), a North Carolina corporation.

2. Attached hereto as Exhibit A is a Certificate of Conversion filed with the State of Texas, effective January 1, 2016, converting Martin Marietta Materials Southwest, Inc., a Texas corporation, a subsidiary of the Corporation, to Martin Marietta Materials Southwest, LLC, a Texas limited liability company.

3. Martin Marietta Materials Southwest, LLC is a wholly owned subsidiary of the Corporaiton.

4. Attached hereto as Exhibit B is a true, complete and correct copy of delegations of authority adopted by resolution of the Board of Directors of the Corporation on May 3, 1994, authorizing the President and Chief Executive Officer, with the authority to further delegate such authorization, to acquire and/or dispose of real property in the name of the Corporation. Such resolutions have not been amended, modified or rescinded and remain in full force and effect on the date hereof.

5. Attached hereto as Exhibit C is a true, complete and correct copy of the relevant portion of the delegation of authority by C. Howard Nye, President and Chief Executive Officer, granting to Bruce A. Vaio, Executive Vice President and President – Martin Marietta Materials West, the authority to execute the specified documents contained in said delegation of authority. Such delegation of authority has not been amended, modified or rescinded and remains in full force and effect on the date hereof.

6. Attached hereto as Exhibit D is a true, complete and correct copy of the relevant portion of the delegation of authority by Bruce A. Vaio granting to Larry Roberts, President – Southwest Division, the authority to execute the specified documents contained in said delegation of authority. Such delegation of authority has not been amended, modified or rescinded and remains in full force and effect on the date hereof.

WITNESS my hand and seal of this Corporation this 26th day of July, 2016.

[SEAL]

Eric S. Brown
Assistant Secretary

EXHIBIT A

Certificate of Conversion
Marietta Materials Southwest, Inc. to Martin Marietta Materials Southwest, LLC

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Carlos H. Cascos
Secretary of State

Office of the Secretary of State

CERTIFICATE OF CONVERSION

The undersigned, as Secretary of State of Texas, hereby certifies that a filing instrument for

MARTIN MARIETTA MATERIALS SOUTHWEST, INC.
File Number: 800836382

Converting it to

Martin Marietta Materials Southwest, LLC
File Number: 802357333

has been received in this office and has been found to conform to law. ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing the acceptance and filing of the conversion on the date shown below.

Dated: 12/28/2015

Effective: 01/01/2016

Carlos H. Cascos
Secretary of State

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697

Carlos H. Cascos
Secretary of State

Office of the Secretary of State

CERTIFICATE OF FILING
OF

Martin Marietta Materials Southwest, LLC
File Number: 802357333

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 12/28/2015

Effective: 01/01/2016

Carlos H. Cascos
Secretary of State

Form 632
(Revised 05/11)

Return in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709

Filing Fee: See instructions

Certificate of Conversion of a Corporation Converting to a Limited Liability Company

This space reserved for office use.

FILED
In the Office of the Secretary of State of Texas
DEC 28 2015
Corporations Section

Converting Entity Information

The name of the converting corporation is:
Martin Marietta Materials Southwest, Inc.

The jurisdiction of formation of the corporation is: Texas

The date of formation of the corporation is: June 27, 2007

The file number, if any, issued to the corporation by the secretary of state, is: 800836382

Plan of Conversion—Alternative Statements

The corporation named above is converting to a limited liability company. The name of the limited liability company is:

Martin Marietta Materials Southwest, LLC

The limited liability company will be formed under the laws of : Texas

☐ The plan of conversion is attached.

If the plan of conversion is not attached, the following statements must be completed.

☑ Instead of attaching the plan of conversion, the corporation certifies to the following statements:

A signed plan of conversion is on file at the principal place of business of the corporation, the converting entity. The address of the principal place of business of the corporation is:

2710 Wycliff Road	Raleigh	NC	USA	27607
Street or Mailing Address	*City*	*State*	*Country*	*Zip Code*

A signed plan of conversion will be on file after the conversion at the principal place of business of the limited liability company, the converted entity. The address of the principal place of business of the limited liability company is:

2710 Wycliff Road	Raleigh	NC	USA	27607
Street or Mailing Address	*City*	*State*	*Country*	*Zip Code*

A copy of the plan of conversion will be furnished on written request without cost by the converting entity before the conversion or by the converted entity after the conversion to any owner or member of the converting or converted entity.

- Certificate of Formation for the Converted Entity

☑ The converted entity is a Texas limited liability company. The certificate of formation of the Texas limited liability company is attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

The plan of conversion has been approved as required by the laws of the jurisdiction of formation and the governing documents of the converting entity.

Effectiveness of Filing (Select either A, B, or C.)

A. ☐ This document becomes effective when the document is accepted and filed by the secretary of state.

B. ☑ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: January 1, 2016

C. ☐ This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

_____

_____

Tax Certificate

☐ Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the corporation.

☑ In lieu of providing the tax certificate, the limited liability company as the converted entity is liable for the payment of any franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 12/28/2015

Eric S. Brown

Eric S. Brown, Assistant Secretary

Signature and title of authorized person on behalf of the converting entity

Form 205 **(Revised 05/11)** Submit in duplicate to: Secretary of State P.O. Box 13697 Austin, TX 78711-3697 512 463-5555 FAX: 512 463-5709 **Filing Fee: $300**	**Certificate of Formation** **Limited Liability Company**	This space reserved for office use. **FILED** **In the Office of the Secretary of State of Texas** **DEC 28 2015** **Corporations Section**

Article 1 – Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

Martin Marietta Materials Southwest, LLC

The name must contain the words "limited liability company," "limited company," or an abbreviation of one of these phrases.

Article 2 – Registered Agent and Registered Office

(See instructions. Select and complete either A or B and complete C.)

☑ A. The initial registered agent is an organization (cannot be entity named above) by the name of:

CT Corporation System

OR

☐ B. The initial registered agent is an individual resident of the state whose name is set forth below:

First Name	*M.I.*	*Last Name*	*Suffix*

C. The business address of the registered agent and the registered office address is:

1999 Bryan Street, Suite 900	Dallas	TX	75201
Street Address	*City*	*State*	*Zip Code*

Article 3—Governing Authority

(Select and complete either A or B and provide the name and address of each governing person.)

☐ A. The limited liability company will have managers. The name and address of each initial manager are set forth below.

☑ B. The limited liability company will not have managers. The company will be governed by its members, and the name and address of each initial member are set forth below.

GOVERNING PERSON 1

NAME (Enter the name of either an individual or an organization, but not both.)

IF INDIVIDUAL

First Name	*M.I.*	*Last Name*	*Suffix*

OR

IF ORGANIZATION

Texas Industries, Inc.

Organization Name

ADDRESS

2710 Wycliff Road	Raleigh	NC	USA	27607
Street or Mailing Address	*City*	*State*	*Country*	*Zip Code*

GOVERNING PERSON 2

NAME (Enter the name of either an individual or an organization, but not both.)

IF INDIVIDUAL

First Name	*M.I.*	*Last Name*	*Suffix*

OR

IF ORGANIZATION

Organization Name

ADDRESS

Street or Mailing Address	*City*	*State*	*Country*	*Zip Code*

GOVERNING PERSON 3

NAME (Enter the name of either an individual or an organization, but not both.)

IF INDIVIDUAL

First Name	*M.I.*	*Last Name*	*Suffix*

OR

IF ORGANIZATION

Organization Name

ADDRESS

Street or Mailing Address	*City*	*State*	*Country*	*Zip Code*

Article 4 – Purpose

The purpose for which the company is formed is for the transaction of any and all lawful purposes for which a limited liability company may be organized under the Texas Business Organizations Code.

Supplemental Provisions/Information

Text Area: [The attached addendum, if any, is incorporated herein by reference.]

As set forth in the Certificate of Conversion filed with the Texas Secretary of State, the converting / prior entity is: Martin Marietta Materials Southwest, Inc., a corporation, located at 2710 Wycliff Road, Raleigh, North Carolina 27607, USA; the Certificate of Formation for which was filed with the Texas Secretary of State on June 27, 2007 file number 800836382; formed under the laws of the State of Texas.

Organizer

The name and address of the organizer:

Martin Marietta Materials, Inc.
Name

2710 Wycliff Road	Raleigh	NC	27607
Street or Mailing Address	*City*	*State*	*Zip Code*

Effectiveness of Filing (Select either A, B, or C.)

A. ☐ This document becomes effective when the document is filed by the secretary of state.

B. ☑ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: January 1, 2016

C. ☐ This document takes effect upon the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized to execute the filing instrument.

Date: December 28, 2015

Signature of organizer
Texas Industries, Inc., Member
By: Eric S. Brown, Assistant Secretary
Printed or typed name of organizer

Exhibit B

DELEGATION OF AUTHORITY TO
PRESIDENT AND CHIEF EXECUTIVE OFFICER
(BY BOARD OF DIRECTORS ON MAY 3, 1994)

Re: **Real Property Transactions, Acquisitions & Dispositions**

RESOLVED, That the President and Chief Executive Officer is authorized, on behalf of the Corporation (with the authority to delegate such authorization with such limitations and rights to redelegate, as he considers appropriate) to execute and deliver bids, proposals, contracts, options, agreements, teaming agreements, purchase orders, assignments, releases, forms of indemnification, and instruments and documents of any kind relating to the acquisition or disposition of real property such as land, buildings or special purpose structures which are in his opinion necessary or desirable in connection with the conduct of the business of the Corporation; provided however, that the amount involved shall not exceed a fair market value of $10,000,000; provided further that in the event of a lease of property with a fair market value in excess of $5 million, the term of the lease commitment shall not exceed ten (10) years; provided further, that the acquisition of real property will be made in accordance with the capital expenditure budget approved from time to time by the Board of Directors; and provided further that this authorization is not intended to apply to purchases of businesses through asset acquisition; and

RESOLVED FURTHER, That the President and Chief Executive Officer is authorized, on behalf of the Corporation (with the authority to delegate such authorization with such limitations and rights to redelegate as he considers appropriate) to execute and deliver such other instruments and documents, to do all such other acts and things, and to take all such further steps as, in his opinion, may be necessary or appropriate in order to fully carry out the intent of the foregoing resolution.

Exhibit C

Delegation of Authority
From C. Howard Nye
To Bruce A. Vaio
October 1, 2006

Sale of Real Property. You are authorized to execute contracts for the sale of real property, buildings or other structures (including contracts with option or a series of option periods), deeds, closing statements and other related documents subject to my prior approval, provided that:

a) the maximum purchase price, not including closing costs does not exceed $2,000,000, with authority to redelegate limited to (i) $1,000,000 to Division Presidents and (ii) $250,000 to Vice President/General Managers;
b) a contract is executed in an approved or standard form prior to closing;
c) the contract states that the transfer of title will be by quitclaim or special warranty deed;
d) a Phase 1 environmental exit audit is conducted by an approved consultant and approved by the Director of Environmental Services.

Exhibit D

Delegation of Authority
From Bruce A. Vaio
To Larry Roberts
November 14, 2006

Sale of Real Property. You are authorized to execute contracts for the sale of real property, buildings or other structures (including contracts with option or a series of option periods), deeds, closing statements and other related documents, subject to my prior approval, provided that:

a) the maximum sale price, not including closing costs, does not exceed $1,000,000, with authority to redelegate limited to $250,000 to Vice President/General Managers;
b) a contract is executed in an approved or standard form prior to closing;
c) the contract states that the transfer of title will be by quitclaim or special warranty deed;
d) a Phase 1 environmental exit audit is conducted by an approved consultant and approved by the Director of Environmental Services.

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

I Kirk R. Light,
Print Name

President Southwest Division,
Title - Owner/President/Other

of Martin Marietta Materials Southwest, LLC,
Corporation/Partnership/Entity Name

have authorized Forster Engineering
Print Name of Agent/Engineer

of Forster Engineering
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

6/23/2025
Date

THE STATE OF Texas §

County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Kirk R. Light 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 23rd day of June, 2025.

NOTARY PUBLIC

TRANG TRINH
Notary ID #131985654
My Commission Expires
April 23, 2027

Trang Trinh
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: April 23, 2027

Section 9.0

APPLICATION FEE FORM AND FEE

Application Fee Form

Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Hunter Stone Quarry
Regulated Entity Location: 7305 FM 1102, New Braunfels, TX 78132
Name of Customer: Martin Marietta Materials Southwest, LLC
Contact Person: Leslie Mackay Phone: 210-208-4067
Customer Reference Number (if issued):CN 606114726
Regulated Entity Reference Number (if issued):RN 100212067

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
☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ San Antonio Regional Office
☐ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☒ Recharge Zone ☐ Contributing Zone ☐ Transition Zone

Type of Plan	***Size***	***Fee Due***
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	22.30 Acres	$ 6,500
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	$
Extension of Time	Each	$

Signature: Ralph Don Jr. Date: 08/11/25

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

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

Organized Sewage Collection Systems and Modifications

Project	*Cost per Linear Foot*	*Minimum Fee-Maximum Fee*
Sewage Collection Systems	$0.50	$650 - $6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

Project	*Cost per Tank or Piping System*	*Minimum Fee-Maximum Fee*
Underground and Aboveground Storage Tank Facility	$650	$650 - $6,500

Exception Requests

Project	*Fee*
Exception Request	$500

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

Section 10.0

CORE DATA FORM

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

1. Reason for Submission (*If other is checked please describe in space provided.*)

☒ New Permit, Registration or Authorization (*Core Data Form should be submitted with the program application.*) WPAP APPLICATION

☐ Renewal *(Core Data Form should be submitted with the renewal form)*

☐ Other

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	**3. Regulated Entity Reference Number** *(if issued)*
CN 606114726		**RN** 100212067

SECTION II: Customer Information

4. General Customer Information | **5. Effective Date for Customer Information Updates** (mm/dd/yyyy)

☐ 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)

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).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)* | *If new Customer, enter previous Customer below:*

7. TX SOS/CPA Filing Number	**8. TX State Tax ID** (11 digits)	**9. Federal Tax ID** (9 digits)	**10. DUNS Number** *(if applicable)*

11. Type of Customer:

☐ Corporation ☐ Individual Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other ☐ Sole Proprietorship ☐ Other: Limited Liability Company

12. Number of Employees

☐ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

13. Independently Owned and Operated?

☐ **Yes** ☐ **No**

14. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check one of the following*

☐ Owner ☐ Operator ☐ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant ☐ Other:

15. Mailing Address:	Leslie Mackay, c/o Martin Marietta Materials Southwest, LLC						
	4949 N. Loop 1604 W., Suite 135						
	City	San Antonio	**State**	Tx	**ZIP**	78249	**ZIP + 4**	1388

16. Country Mailing Information *(if outside USA)*	**17. E-Mail Address** *(if applicable)*
	Leslie.Mackay@martinmarietta.com

18. Telephone Number	**19. Extension or Code**	**20. Fax Number** *(if applicable)*

( ) - (210) 208-4067		( ) - (210) 208-4065

SECTION III: Regulated Entity Information

21. General Regulated Entity Information *(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

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).

22. Regulated Entity Name *(Enter name of the site where the regulated action is taking place.)*

Hunter Stone

23. Street Address of the Regulated Entity: ***(No PO Boxes)***	7305 FM 1102						
	City	New Braunfels	**State** Tx		**ZIP** 78132		**ZIP + 4** 3412
24. County	Comal						

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:					
26. Nearest City			**State**	**Nearest ZIP Code**	
New Braunfels			TX	78132	

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).

27. Latitude (N) In Decimal:	29.808333		**28. Longitude (W) In Decimal:**	98.041666	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	48	30	98	02	30

29. Primary SIC Code (4 digits)	**30. Secondary SIC Code** (4 digits)	**31. Primary NAICS Code** (5 or 6 digits)	**32. Secondary NAICS Code** (5 or 6 digits)
1422		212312	

33. What is the Primary Business of this entity? *(Do not repeat the SIC or NAICS description.)*

Limestone Quarry

34. Mailing Address:	Leslie Mackay, c/o Martin Marietta Materials Southwest, LLC						
	4949 N. Loop 1604 W., Suite 135						
	City	San Antonio	**State**	TX	**ZIP**	78249	**ZIP + 4** 1388
35. E-Mail Address:	Leslie.Mackay@martinmarietta.com						

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
( ) - (210) 208-4067		( ) - (210) 208-4065

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:	Ralph Voss Jr., P.E.	41. Title:	Engineer

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(210)289-0580		( ) -	rvoss@forsterengineering.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:	Forster Engineering	Job Title:	Engineer
Name *(In Print)*:	Ralph Voss Jr., P.E.	Phone:	(210)289-0580
Signature:	Ralph Voss Jr.	Date:	08/11/25