

**UIC PERMIT AMENDMENT REQUEST  
AND COMPLIANCE PLAN APPLICATION  
FOR  
UIC PERMIT NO. WDW-129  
ASARCO LLC  
AMARILLO COPPER REFINERY**

**CN No. 602815524 - RN No. 101701654  
SWR No. 30089  
EPA ID No. TXD087491973**



**AMARILLO, POTTER COUNTY, TEXAS**

**APRIL 2024**

**Project No. 23-106**

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WDW 129 (324 & 432)

**Texas Commission on Environmental Quality  
Permit Application to Dispose of Waste  
In A Class I Injection Well**

I. General Information

A. Type of Application (check all that apply):

- ☐ Initial
- ☐ Renewal
- ☒ Major Amendment
- ☐ Minor Amendment
- ☐ Minor Modification
- ☐ Transfer
- ☐ Endorsement

**Submittal for a RCRA CMI Compliance Plan**

Type of Waste (check all that apply):

- ☒ Hazardous Waste
- ☒ Nonhazardous Waste

Type of Facility (check all that apply):

- ☐ Commercial
- ☒ Noncommercial

Source of waste for noncommercial (check all that apply):

- ☒ Onsite
- ☐ Captured facility
- ☐ Offsite from facilities owned or effectively controlled by owner/operator

B. Facility Name: **Amarillo Copper Refinery**

Street Address: **7001 State Highway 136**

City, State, Zip: **Amarillo, TX 79108**

Mailing Address: **PO Box 30200**

Mailing City, State, Zip: **Amarillo, TX 79120**

County: **Potter**

TCEQ Solid Waste Registration (SWR) Number: **30089**

EPA ID Number: **TXD087491973**

Give a description of the location of the facility site with respect to known or easily identifiable landmarks. Detail the access routes from the nearest U.S. or State Highway to the facility: **Located in northeast Amarillo adjacent to the north of State Highway 136 (SH 136), approximately 1.5 miles northeast of the intersection of Loop 335 and SH 136.**

Is the facility located within the Coastal Management Program boundary? Refer to [Texas Coastal Management Boundary Map](#)<sup>1</sup> for boundary. For questions regarding the Coastal Management Program, please call (800) 998-4456 (within Texas) or (512) 475-0773. [30 TAC §281.41]

☐ Yes      ☒ No

Provide the location of the injection well relative to established surveys: **Injection well WDW-129 is located 568 feet from the east line and 2,235 feet from the south line of Section 68, Block 2, Adams, Beaty, and Moulton (AB&M) Survey , A-1194, Potter County, TX.**

Enter the geographical coordinates of the injection well in decimal degrees to 6 decimal places:

Latitude: **35.286000 (35° 17' 09.60" North)**

Longitude: **-101.726336 (101° 43' 34.81" West)**

Provide the depths of the injection zone and injection interval:

Injection Zone: **Lower Clear Fork, Red Cave, Wichita Group, and Wolfcamp Series (Brown Dolomite)** Formation(s) at depths of **2,893** to **6,688** feet below ground level.

Injection Interval: **Wichita Group and Wolfcamp Series (Brown Dolomite)** Formation(s) at depths of **4,038** to **5,088** feet below ground level

C. Operator/Applicant (Individual, Corporation, or other Legal Entity Name)

Name: **ASARCO, LLC**

Address: **7001 State Highway 136**

City, State and Zip: **Amarillo, TX 79108**

Telephone Number: **(806) 468 4000**

If the application is submitted on behalf of a corporation or other business organization with filing requirements, please identify the Charter Filing Number as recorded with the Office of the Secretary of State for Texas.

Charter Filing Number: **800453105**

Is the applicant required to designate a registered agent with the Secretary of State of Texas?

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<sup>1</sup> <https://www.glo.texas.gov/coast/coastal-management/forms/files/CoastalBoundaryMap.pdf>

☒ Yes      ☐ No

If the application is submitted by a business organization that is required to designate and maintain a registered agent, the applicant must provide the name and address of the registered agent.

Agent: **CT Corporation System**

Address: **1999 Bryan Street, Suite 900**

City, State, and Zip: **Dallas, TX 75201**

Telephone Number: **(214) 979 1172**

D. Facility Owner(s) (Individual, Corporation, or other Legal Entity Name)

The facility includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for storing, processing, or disposing of waste. The facility owner must be consistent with the owner on the deed filing bearing the stamp of the county property records or other generally accepted identifying reference of the current ownership record provided in Section I.P.5, Attachment C of the application. If the facility owner is the same as the operator, state "same as operator". If the facility land, structures, appurtenances, and improvements on the land are owned by more than one individual, corporation or other legal entity, provide the following information for all owners. Clearly identify the relationship(s) between the operator and all facility owner(s). [THSC §361.087(1)]

Name: **Same as Operator**

Address: **Same as Operator**

City, State, Zip: **Same as Operator**

Telephone Number: **Same as Operator**

Charter Filing Number: **Same as Operator**

E. Indicate the ownership status of the facility.

Private:

- ☒ Corporation
- ☐ Partnership
- ☐ Proprietorship
- ☐ Nonprofit organization

Public:

- ☐ Military
- ☐ State
- ☐ Regional
- ☐ County
- ☐ Municipal
- ☐ Federal

Other (specify): \_\_\_\_\_

- F. List those persons or firms authorized to act for the applicant during the processing of the permit application. Indicate the capacity in which each person may represent the applicant (engineering, geology, legal, etc.). The person listed first will be the primary recipient of correspondence regarding this application. Include complete mailing addresses, phone numbers and e-mail addresses.

<b>Mr. Jarrod Dunavin (Legal, Administrative, and Technical)</b> <b>ASARCO LLC Amarillo Copper Refinery</b> <b>PO Box 30200</b> <b>Amarillo Texas 79120-0200</b> <b>(806) 468-4134</b> <a href="mailto:jarrod.dunavin@asarco.com">jarrod.dunavin@asarco.com</a>	<b>Mr. Aaron Weegar (Technical, Engineering)</b> <b>Weegar-Eide &amp; Associates, LLC</b> <b>9706 Sorrento Ct.</b> <b>Austin, Texas 78759</b> <b>(512) 914-8210</b> <a href="mailto:aweegar@weegar-eide.com">aweegar@weegar-eide.com</a>
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- G. For new, renewal, and major amendment applications specify the individual who will be responsible for causing notice to be published in the newspaper. Include the complete mailing address, telephone number, fax number and e-mail address.

<b>Mr. Jarrod Dunavin (Legal, Administrative, and Technical)</b> <b>ASARCO LLC Amarillo Copper Refinery</b> <b>PO Box 30200</b> <b>Amarillo Texas 79120-0200</b> <b>(806) 468-4134</b> <a href="mailto:jarrod.dunavin@asarco.com">jarrod.dunavin@asarco.com</a>
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- H. Describe the activities conducted by the applicant which require a permit.

**Injection of industrial wastewater and recovered groundwater from processes associated with copper refining.**

- I. For amendment, modification, transfer or endorsement applications, briefly describe all requested changes to the permit and to the application contents and the reasons for the changes. **This application is requesting a Major Amendment for addition of a Compliance Plan**

- J. Business Information

1. Give a brief description of the nature of your business.

**Electrolytic refining of copper and manufacture of copper products and by-product metals.**

List the principal products and/or services which are provided by your plant. Please itemize by Standard Industrial Classification (SIC) codes. Also label the products with their common names, if applicable.

**The ASARCO Amarillo Copper Refinery produces refined copper cathode, copper rod, copper cake, and special alloys used in a wide variety of manufactured products.**

**SIC Code 3331: Primary Smelting and Refining of Copper and associated byproducts.**

**K. Applicant Compliance History**

The TCEQ will utilize compliance history when making decisions regarding the issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit. Violations included in a criminal conviction are considered when evaluating and classifying the site's compliance history.

For the five years preceding the filing date of this application, please submit a complete listing of all criminal convictions (i.e., State or Federal) of the operator and facility owner in which a violation of environmental law was an element of the crime. [30 TAC §60.2(d)(1)(E) and §60.2(d)(2)(F)] If there have been no such convictions then the application should state the following. If the operator is not the facility owner, a separate statement should be provided for each facility owner.

“In the five years preceding the filing of this application (the operator/applicant, owner), **ASARCO LLC**, has not been convicted of a State or Federal crime in which a violation of environmental law was an element of the crime.”

**L. TCEQ Core Data Form**

The TCEQ requires that a [Core Data Form](#)<sup>2</sup> (TCEQ-10400) be submitted with all new and renewal applications. Submit the form as “Attachment A”. For all other applications, if a Regulated Entity Number (RN) and Customer Reference Number (CN) have been issued by the TCEQ and core data information has not changed, a Core Data Form is not required. For more information regarding the Core Data Form, call (512) 239-5175 or go to the [Core Data Form Instructions](#)<sup>3</sup> on the TCEQ website.

**Not Required**

RN **101701654**

CN **602815524**

**M. Public Interest Demonstration**

Section 27.051 of the Texas Water Code (TWC) stipulates certain conditions that must exist for the Commission to grant an application and issue a permit. For all new applications, permit renewals, and major and minor amendments, submit as "Attachment B" information addressing the following considerations:

1. That the use or installation of the injection well is in the public interest.  
[TWC§27.051(a)(1)]
2. That no existing rights, including, but not limited to, mineral rights, will be impaired.  
[TWC §27.051(a)(2)]

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<sup>2</sup> <https://www.tceq.texas.gov/downloads/permitting/central-registry-docs/10400-core-data-form.docx>

<sup>3</sup> <https://www.tceq.texas.gov/downloads/permitting/central-registry-docs/10400-core-data-form-instructions.pdf>

3. That, with proper safeguards, both ground and surface fresh water can be adequately protected from pollution. [TWC §27.051(a)(3)]
4. That the applicant has made a satisfactory showing of financial responsibility if required by Section 27.073 of this code. [TWC §27.051(a)(4)]
5. That the compliance history of the applicant and related entities is acceptable. [TWC §27.051(d)(1), 30 TAC § 331.121(b)(1)]
6. That there is no practical, economic, and feasible alternative to an injection well reasonably available. Provide justification for subsurface disposal. Include results of treatability studies of alternate, practical, economic and feasible methods of waste disposal. Explain in detail why each method is considered to be less satisfactory in terms of environmental protection than the proposed subsurface disposal method. Indicate whether this waste is presently being produced and, if so, what method is used for disposal. Describe the manufacturing process(es) and product(s) which produce the waste(s). [TWC §27.051(d)(2), 30 TAC § 331.121(b)(2)]
7. (for hazardous waste injection wells only) That the applicant has provided for the proper operation of the proposed hazardous waste injection well. [TWC §27.051(a)(5)]
8. (for hazardous waste injection wells only) That the applicant for a hazardous waste injection well not located in an area of industrial land use has made a reasonable effort to ensure that the burden, if any, imposed by the proposed hazardous waste injection well on local law enforcement, emergency medical or fire-fighting personnel, or public roadways, will be reasonably minimized or mitigated. [TWC §27.051(a)(6)]
9. (for hazardous waste injection wells only) That the applicant owns or has made a good faith claim to own, or has the consent of the owner to utilize, or has an option to acquire, or has the authority to acquire through eminent domain, the property or portions of the property where the hazardous waste injection well will be constructed. [TWC §27.051(a)(7)]
10. (for hazardous waste injection wells only) That the applicant will maintain sufficient public liability insurance for bodily injury and property damage to third parties that is caused by sudden and non-sudden accidents or will otherwise demonstrate financial responsibility in a manner adopted by the Commission in lieu of public liability insurance. [TWC §27.051(d)(3), 30 TAC § 331.121(b)(3)]
11. (for hazardous waste injection wells only) For on-site generated waste, provide certification by the owner/operator that (1) the generator of the hazardous waste has a program to reduce the volume or quantity and toxicity of the waste to the degree determined by the generator to be economically practicable, and (2) injection of the waste is that practicable method of disposal currently available to the generator which minimizes the present and future threat to human health and the environment. [30 TAC §331.121(b)(4)]

**See Attachment B Public Interest Demonstration**

- N. For applications for new permits, renewals, and major amendments, a copy of the administratively complete application and subsequent revisions must be made available at a public place in the county where the facility is located or proposed to be located for review and copying by the public. Identify the public place in the county (e.g., public library, county courthouse, city hall), including the address, where the application will be located. [30 TAC §39.405(g)]

**Amarillo Public Library – Central Branch**  
**413 SE 4th Avenue**  
**Amarillo, TX 79101**

O. Facility Background Information [30 TAC §305.45(a)(7)]

Indicate (by listing the permit number(s) and governing agency(ies) in the columns below) all existing, pending, interim status, or permit-by-rule State and/or Federal permits, licenses or construction approvals which pertain to pollution control or industrial solid waste management activities conducted by your plant or at your location, or existing at a proposed plant or location. Complete each blank by entering either the **permit number** or the **date of application**, and the **governing agency** or **none**.

**Existing Permits**

<b>Relevant Program and/or Law</b>	<b>Permit Number or License</b>	<b>Government Agency *</b>
Hazardous Waste Management Program under the Texas Solid Waste Disposal Act	<b>1. See note below</b>	<b>TCEQ</b>
UIC Program under the Texas Injection Well Act (Class I, II, III, IV, V and VI Wells)	<b>WDW-129 WDW-273* WDW-324 WDW-432</b>	<b>TCEQ</b>
Texas Pollutant Discharge Elimination System Program under the Clean Water Act and Waste Discharge Program under the Texas Water Code, Chapter 26	<b>WQ0001978000</b>	<b>TCEQ</b>
Prevention of Significant Deterioration Program under the Federal Clean Air Act (FCAA)	<b>PSDTX847</b>	<b>TCEQ</b>
Nonattainment Program under the FCAA	<b>None</b>	<b>None</b>
National Emission Standards for Hazardous Air Pollutants preconstruction approval under the FCAA	<b>None</b>	<b>None</b>
Ocean dumping permits under the Marine Protection Research and Sanctuaries Act	<b>None</b>	<b>None</b>
Dredge or fill permits under the Federal Clean Water Act	<b>None</b>	<b>None</b>
Licenses under the Texas Radiation Control Act	<b>None</b>	<b>None</b>
Subsurface Area Drip Dispersal System permits under Texas Water Code, Chapter 32	<b>None</b>	<b>None</b>
Texas Solid Waste Disposal Act	<b>30089</b>	<b>TCEQ</b>
Texas Uranium Surface Mining and Reclamation Act	<b>None</b>	<b>None</b>
Texas Surface Coal Mining and Reclamation Act	<b>None</b>	<b>None</b>
Other relevant environmental permits/licenses	<b>NSR Permits 591, 592, 593, 595, 596, 597. Title V FOP O- 01304.</b>	<b>TCEQ</b>



**Note 1. RCRA Permit by Rule to inject hazardous waste is incorporated in the UIC Permit for WDW-129 issued by the TCEQ (Effective December 1, 2021).**

**\* WDW-273 was plugged in July of 2023**

\* Use the following acronyms for each agency:

TCEQ = Texas Commission on Environmental Quality

RRC = Railroad Commission of Texas

DSHS = Department of State Health Services

TDA = Texas Department of Agriculture

EPA = U.S. Environmental Protection Agency

CORPS = U.S. Army Corps of Engineers

**P. Location**

1. Is the facility located on Indian lands?

☐ Yes ☒ No

If yes, do not complete this application. Contact EPA Region 6 for application and permitting requirements for injection wells located on Indian lands. [40 CFR §147.2205(a)]

2. Is the facility located in an area in which the governing body of the county or municipality has prohibited the processing or disposal of municipal hazardous waste or industrial solid waste?

☐ Yes ☒ No

If yes, do not complete this application. TCEQ may not grant an application for an injection well permit in this area. [THSC §363.112(d)]

3. If the facility is a new commercial hazardous waste management facility, or the subsequent areal expansion of such a facility, is the boundary of the well or pre-injection units to be located within ½ of a mile of an established residence, church, school, day care center, surface water body used for public drinking water supply, or dedicated park?

☐ Yes ☒ No

If yes, do not complete this application. TCEQ may not issue a permit for a facility in this location. [30 TAC §335.205(a)(3)]

4. Is the location or proposed location of the injection well in the territory of a groundwater conservation district? To determine if the injection well is or will be located in the territory of a groundwater conservation district refer to the [Texas Groundwater Conservation District map](https://www.twdb.texas.gov/mapping/doc/maps/GCDs_8x11.pdf)<sup>4</sup> on the TWDB website.

☒ Yes ☐ No

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<sup>4</sup> [https://www.twdb.texas.gov/mapping/doc/maps/GCDs\\_8x11.pdf](https://www.twdb.texas.gov/mapping/doc/maps/GCDs_8x11.pdf)

If yes, provide the contact name and mailing address for the groundwater conservation district. To obtain a point of contact and mailing address refer to the [Groundwater Conservation Districts Contact List](#)<sup>5</sup> on the TCEQ website. [TWC §27.017(b)]

**Britney Britten, Manager**  
**Panhandle Groundwater Conservation District**  
**PO Box 637**  
**White Deer, TX 79097**  
**(806) 883 2501**

5. Legal Description of Facility Land

Submit, as "Attachment C", a legal description of the tract or tracts of land upon which the facility is or will be located and the deed filing bearing the stamp of the county property records or other generally accepted identifying reference of the current ownership record. If ownership of the property is transferring and new ownership documents are not final, provide the date upon which the documents will be submitted. The facility includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for storing, processing, or disposing of waste including pre-injection units used for storage and processing waste to be injected into the injection well. The legal description should include the metes and bounds description or for platted urban sites the final plat with appropriate "lot" description(s). [THSC §361.087(2)]

**See Attachment C**

6. Submit, as "Attachment D", a drawn-to-scale topographic map of the facility and the tract or tracts of land upon which the facility is or will be located as described in Attachment C and area extending at least one mile beyond the tract boundaries. The map must be prepared by a licensed professional engineer or a registered surveyor. The scale should be adequate to depict the following features: [30 TAC §305.45(a)(6)(A), (C) & (E)]
- the boundary of the tract or tracts of land upon which the facility is or will be located as described in Attachment C; areal size of the tract or tracts of land in acres should be given;
  - if different, the boundary of the facility, and the location of all injection wells; each depicted area should be labeled to identify the well(s) and the well status (active, inactive, or proposed); areal size of the facility in acres should be given;
  - if applicable, the boundaries of captured facilities that generate waste to be disposed in the injection wells, each depicted area should be labeled to identify the names of the captured facilities;
  - the overall facility, each of its surface intake and discharge structures, each of its waste treatment, storage or disposal facilities, including proposed or existing pre-injection units for processing or storage of waste to be disposed in the injection wells; and
  - all wells (water, oil and gas, disposal, etc.), springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within one mile of the facility property boundary, and the purpose for which each water well is used (e.g., domestic, livestock, agricultural, industrial, etc.).

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<sup>5</sup> <https://www.tceq.texas.gov/downloads/groundwater/gcd/gcd-contact-list.pdf>

**See Attachment D**

**Q. Plain-Language Summary**

The TCEQ implemented new rule requirements in 30 TAC Chapter 39 that impact all permit applications subject to the Chapter 39 public notice requirements that are declared administratively complete after May 1, 2022. One of the new rules, 30 TAC §39.405(k), requires the applicant to provide a plain-language summary in English, and in an alternative language if required in accordance with 30 TAC §39.426. The plain-language summaries for all applications will be posted on the TCEQ website.

For new, renewal and major amendment permit applications submit, as “Attachment E”, a Plain-Language Summary of the application that is no more than two pages long. The summary should be entitled “Plain-Language Summary” and should be prepared in simple, concise, easy-to-understand terminology. The summary must include the following information. [30 TAC §39.405(k)]

1. the applicant/operator name;
2. the type of application;
3. the type of waste;
4. the type of facility;
5. the facility name and location;
6. the function of the proposed plant or facility;
7. the expected output of the proposed plant or facility;
8. the expected pollutants that may be emitted or discharged by the proposed plant or facility which require an injection well permit; and
9. how the applicant will control those pollutants, so that the proposed plant will not have an adverse impact on human health or the environment.

If the applicant is required to provide notice in an alternative language in accordance with 30 TAC §39.426, provide a copy of the plain-language summary in English and in the alternative language.

In addition, provide a copy of the plain-language summaries in pdf clearly labeled on a flash drive.

**See Attachment E**

**R. Public Involvement Plan**

TCEQ’s Public Participation Plan provides guidance for using preliminary screening and public involvement plans to ensure meaningful public outreach. Applicants who are applying for a new injection well permit are required to complete a Public Involvement Plan. A Public Involvement Plan is intended to provide an applicant and the agency with information to determine if additional public outreach is necessary or beneficial. Applicants may complete a Public Involvement Plan, even if not required, to learn about the

communities in which their facilities are located or where their activities may have an impact.

Submit a Public Involvement Plan, as “Attachment F”, using the [Public Involvement Plan Form](#)<sup>6</sup> (TCEQ-20960) and [Instructions for Completing a Public Involvement Plan Form for Permit and Registration Applications](#)<sup>7</sup> (TCEQ-20960).

For more information regarding [Title VI compliance at TCEQ](#)<sup>8</sup> or the [Public Participation Plan](#)<sup>9</sup> go on the TCEQ website.

**Not Required – This is not an application for a new injection well permit.**

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<sup>6</sup> <https://www.tceq.texas.gov/downloads/agency/decisions/hearings/environmental-equity/pip-form-tceq-20960.pdf>

<sup>7</sup> <https://www.tceq.texas.gov/downloads/agency/decisions/hearings/environmental-equity/instructions-for-pip-form-tceq-20960.pdf>

<sup>8</sup> <https://www.tceq.texas.gov/agency/decisions/participation/title-vi-compliance>

<sup>9</sup> <https://www.tceq.texas.gov/downloads/agency/decisions/participation/public-participation-plan-gi-607.pdf>

## Signature Page

I (Signatory Name) JAMES M. STEWART (Title) DIRECTOR OF ENVIRONMENTAL  
(Company) ASARCO LLC. certify under penalty of law that this

document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Signature] Date: 04/10/24

See 30 TAC §305.44 for signatory authority.

Applications must be signed by the operator of the facility and the facility owner(s). The facility includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for storing, processing, or disposing of waste. Duplicate this page for additional signatories.

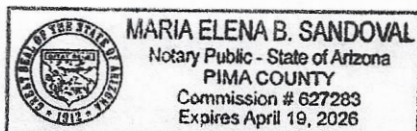
### To Be Completed by the Applicant if the Applicant Is a Corporation and the Responsible Corporate Officer Is Assigning or Delegating Signature Authority to a Manager in Accordance with 30 TAC §305.44(a)(1)

I (Signatory Name) \_\_\_\_\_ (Title) \_\_\_\_\_  
(Company) \_\_\_\_\_ hereby designate (Agent Name and/or Title) \_\_\_\_\_  
as my agent and hereby authorize said agent to sign any application, submit additional information as may be requested by the Commission, and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my agent in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### (Note: Application Must Bear Signature and Seal of Notary Public)

SUBSCRIBED AND SWORN to before me by the said JAMES M. STEWART  
on this 10<sup>th</sup> day, \_\_\_\_\_ month of April, year of 2024  
My commission expires on the 19<sup>th</sup> day, month of April, year of 2024



[Signature]  
Notary Public



### Signature Page

I (Signatory Name) JAMES M. STEWART (Title) DIR. OF ENVIRONMENTAL  
(Company) ASARCO LLC. certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: [Signature] Date: 07/15/24

See 30 TAC §305.44 for signatory authority.

Applications must be signed by the operator of the facility and the facility owner(s). The facility includes all contiguous land, and structures, other appurtenances, and improvements on the land, used for storing, processing, or disposing of waste. Duplicate this page for additional signatories.

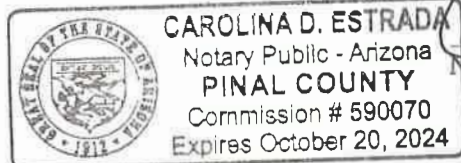
### To Be Completed by the Applicant if the Applicant Is a Corporation and the Responsible Corporate Officer Is Assigning or Delegating Signature Authority to a Manager in Accordance with 30 TAC §305.44(a)(1)

I (Signatory Name) \_\_\_\_\_ (Title) \_\_\_\_\_  
(Company) \_\_\_\_\_ hereby designate (Agent Name and/or Title) \_\_\_\_\_ as my agent and hereby authorize said agent to sign any application, submit additional information as may be requested by the Commission, and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my agent in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### (Note: Application Must Bear Signature and Seal of Notary Public)

SUBSCRIBED AND SWORN to before me by the said James M. Stewart  
on this 15<sup>th</sup> day, July month of 2024, year of 2024  
My commission expires on the 20<sup>th</sup> day, month of October, year of 2024



[Signature]  
Notary Public

## II. Information Required to Provide Notice

Submit, as "Attachment G", a mailing list of landowners identified under Section II.A. and a mailing list of mineral rights owners identified under Section II.B. In accordance with 30 TAC §39.405(b), please also submit this mailing list electronically, in Microsoft Word. The electronic list must contain only the name, mailing address, city, state, and zip code with no reference to the lot number or lot location. The list should contain up to 30 names and addresses (10 per column) per page. Each name and address must be typed in the format that meets the United States Postal Service (USPS) requirements for machine readability. The letters in the name and address must be capitalized, contain no punctuation, and the two-character abbreviation must be used for the state. Contact the USPS for further instructions on formatting addresses for machine readability. The applicant may elect to submit pre-printed mailing labels of this mailing list with the application instead of submitting the mailing list electronically. If you wish to provide the list on printed labels, please use sheets of labels that have 30 labels to a page (10 labels per column). Please provide **four complete sets of labels** of the landowners and mineral rights owners list.

- A. Provide a complete mailing address for persons who own the property on which the existing or proposed injection well facility is or will be located and all persons who own tracts of land adjacent to the property on which the existing or proposed injection well facility is or will be located and within a reasonable distance from the proposed point or points of discharge, deposit, injection, or other place of disposal or activity. Identify the tracts of land and landowners on a map and provide the general character of the areas adjacent to the facility, including public roads, towns and the nature of development of adjacent lands (e.g., residential, commercial, agricultural, recreational, industrial or undeveloped) on the map. The property boundary of the tract or tracts of land on which the existing or proposed injection facility is or will be located must be consistent with the legal description of the tract or tracts of land provided in Section I.P.5, Attachment C, of the application. (Refer to Example Application Map) [30 TAC §281.5(6), §305.45(a)(6)(B) & (D) and §39.651(c)(4)(A) & (B)]
- B. Provide a complete mailing address for all persons who own the mineral rights underlying the existing or proposed injection well facility and underlying the tracts of land adjacent to the property on which the existing or proposed injection well facility is or will be located as required by 30 TAC §39.651(c)(4)(C) & (D). Identify the mineral rights owners on the map provided above in Section II.A.

### **See Attachment G**

- C. If the facility is located adjacent to navigable territorial waters of the state, or the State of Texas is an adjacent landowner and/or owner of mineral rights underlying the facility or underlying adjacent tracts, your application may affect lands dedicated to the permanent school fund. A determination whether lands dedicated to the permanent school fund will be affected by TCEQ formal action on the application will be made by the Texas General Land Office (TXGLO).

In order for the TXGLO to make a determination, the TCEQ will provide notice to the TXGLO regarding the application. Provide the following information for inclusion in the notice to the TXGLO:

1. state the location of the permanent school fund land, mineral rights, or waters of the state that may be affected; and
2. describe any foreseeable impact or effect of the proposed permitted action may have on permanent school fund land.

A formal action or ruling by the Commission on an application affecting permanent school fund land that is made without the notice required by 30 TAC §39.651(c)(3) is voidable by the School Land Board as to any permanent school fund lands affected by the action or ruling. [TWC §5.115(c) and (g)]

**The State of Texas is NOT an adjacent landowner and/or mineral rights owner.**

- D. Provide the name and mailing address of the mayor and health authority of the municipality in whose territorial limits or extraterritorial jurisdiction the well is or will be located, and the name and mailing address of the county judge and the health authority of the county in which the facility is located. [30 TAC §39.651(c)(5)]

<b>Mayor of Amarillo</b> <b>Cole Stanley</b> <b>City Hall</b> <b>601 S. Buchanan Street</b> <b>Amarillo, TX 79101</b> <b>(806) 378-3000</b>	<b>City of Amarillo Public Health Department</b> <b>1000 Martin Road</b> <b>Amarillo, TX 79107</b> <b>(806) 378-6300</b>
<b>Potter County Judge</b> <b>Nancy Tanner</b> <b>500 S. Fillmore</b> <b>Suite 103</b> <b>Amarillo, TX 79101</b> <b>(806) 379-2250</b>	

- E. Bilingual Notice Instructions. For new, renewal and major amendment permit applications, public notice in an alternate language may be required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, requires a bilingual education program for an entire school district should the requisite alternative language speaking student population exist. However, there may not be any bilingual-speaking students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site or has students who attend such a program at another location to satisfy the school's obligation to provide such a program. [30 TAC §39.426]

**Bilingual notice confirmation for this application**

1. Is the school district of the elementary or middle school nearest to the facility required by the Texas Education Code to have a bilingual program?

☐ Yes      ☒ No

If **no**, alternative language notice publication not required.

2. If **yes** to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility?



☐ Yes      ☐ No

If **yes** to questions 1 and 2, alternative language publication is required.  
If **no** to question 2, then consider the next question.

3. If **yes** to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location?

☐ Yes      ☐ No

If **yes** to questions 1 and 3, alternative language publication is required.  
If **no** to question 3, then consider the next question.

4. If **yes** to question 1, has the elementary school or the middle school nearest to the facility been granted an exception from the requirement to provide a bilingual education program, as available under 19 TAC §89.1207(a)?

☐ Yes      ☐ No

If **yes** to questions 1 and 4, alternative language publication is required.  
If **no** to question 4, alternative language notice publication not required.

5. Provide the alternative language for which the bilingual education program(s) is provided or for which an exception has been approved. \_\_\_\_\_

### III. Index of Attachments

List and index below all attachments to this application and indicate if included, not included or not applicable

#### **Attachments to this Application**

<b>Description of Attachment</b>	<b>Section</b>	<b>Attachment</b>	<b>Included</b>	<b>Not Included</b>	<b>Not Applicable</b>
Core Data Form	I.L	A	Yes		
Public Interest Demonstration	I.M	B	Yes		
Site Legal Description	I.P.5.	C	YEs		
Facility Boundary and Topographic Map	I.P.6.	D	Yes		
Plain-Language Summary	I.Q.	E	Yes		
Public Involvement Plan	I.R	F	N/A		X
Affected Land and Mineral Owners	II.	G	Yes		
Letter from Railroad Commission	III.	H	N/A		X
Financial Assurance, Liability, and Financial Capability	IV.	I	N/A		X
Radioactive Waste Statement	XI.	J	N/A		X

## **ATTACHMENT A**

## ATTACHMENT A

### A. TCEQ Core Data Form

The TCEQ requires that a [Core Data Form](#)<sup>1</sup> (TCEQ-10400) be submitted with all new and renewal applications. Submit the form as "Attachment A". For all other applications, if a Regulated Entity Number (RN) and Customer Reference Number (CN) have been issued by the TCEQ and core data information has not changed, a Core Data Form is not required. For more information regarding the Core Data Form, call (512) 239-5175 or go to the [Core Data Form Instructions](#)<sup>2</sup> on the TCEQ website.

#### **Not Required**

RN **101701654**

CN **602815524**

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<sup>1</sup> <https://www.tceq.texas.gov/downloads/permitting/central-registry-docs/10400-core-data-form.docx>

<sup>2</sup> <https://www.tceq.texas.gov/downloads/permitting/central-registry-docs/10400-core-data-form-instructions.pdf>

## **ATTACHMENT B**

**ATTACHMENT B**  
**ASARCO LLC**  
**COMPLIANCE PLAN**  
**WDW-129, WDW-324, & WDW-432**  
**Public Interest Demonstration**  
**Items Section I.M.1 through 11**

1. *That the use or installation of the injection well is in the public interest. [TWC §27.051(a)(1)]*

No practical, economic, alternative to deep well injection reasonably exist to ASARCO that is more protective of the public interest. Deep well disposal of the wastes generated at the ASARCO facility is a historically proven (over 47 years), environmentally safe, low risk method of waste disposal and reduces the potential for human and environmental exposure that could occur if alternate disposal methods were utilized.

2. *That no existing rights, including, but not limited to, mineral rights, that will be impaired. [TWC §27.051(a)(2)]*

No existing rights, including, but not limited to, mineral rights will be impaired. The ASARCO injection wells, and associated facilities, are located on the Amarillo Copper Refinery property, which is wholly owned by ASARCO. In addition, ASARCO owns the mineral rights to all property beneath the plant and properties adjacent to the plant boundary. Finally, the Railroad Commission of Texas (RCT) has issued several letters of understanding that injection activities at ASARCO do not endanger or otherwise affect any known oil and gas resources.

3. *That, with proper safeguards, both ground and surface fresh water can be adequately protected from pollution. [TWC §27.051(a)(3)]*

In accordance with 30 TAC §331.62, all of the ASARCO injection wells have been constructed and completed to standards to prevent the movement of fluids that could result in the pollution of underground sources of drinking water (USDW). The successful long historical operation of the ASARCO deep well system with no indication of impact to groundwater or surface water indicates that the proper safeguards are in place to adequately protect these resources.

4. *That the applicant has made a satisfactory showing of financial responsibility if required by Section 27.073 of this code. [TWC §27.051(a)(4)]*

ASARCO has the proper financial assurance in place in accordance with Section 27.073 of the Texas Water Code. This includes a trust agreement in place for the closure and post-closure care of its existing wells, as well as a certificate of liability insurance to cover the well for bodily injury, and property damages to third parties due to sudden and non-sudden events. See Attachment F for details, as well as the ASARCO-endorsement (on ASARCO letterhead) stating that these requirements are met.

**5. *That the compliance history of the applicant and related entities is acceptable. [TWC §27.051(d)(1), 30 TAC § 331.121(b)(1)]***

ASARCO, through its compliance history on record with the TCEQ, has shown that it is a conscientious operator of its deep well system and that its continued efficient and safe operation is in the public interest. According the TCEQ compliance history database ([TCEQ Compliance History Search \(texas.gov\)](https://www.tceq.texas.gov/compliance/historysearch/)), ASARCO has a “High” classification as of 09/01/2023.

**6. *That there is no practical, economic, and feasible alternative to an injection well reasonably available. Provide justification for subsurface disposal. Include results of treatability studies of alternate, practical, economic and feasible methods of waste disposal. Explain in detail why each method is considered to be less satisfactory in terms of environmental protection than the proposed subsurface disposal method. Indicate whether this waste is presently being produced and, if so, what method is used for disposal. Describe the manufacturing process(es) and product(s) which produce the waste(s). [TWC §27.051(d)(2), 30 TAC § 331.121(b)(2)]***

ASARCO utilizes deep well injection as an environmentally safe, low risk method of waste disposal that has a long successful history at its Amarillo Copper Refinery facility. Deep well disposal is the best method for ASARCO to dispose of its inorganic waste streams resulting from the refining and production of copper products vital to many manufactured goods and industries. ASARCO has over the year’s evaluated alternatives to the disposal of its hazardous wastes in injection wells but determined that no practical, economic, and feasible alternative to an injection well is reasonably available to manage the types and classes of hazardous waste disposed.

The manufacturing process at ASARCO consists of an anode department, a tank house for copper refining, refined casting departments, a copper scrap facility, a precious metals handling facility, and various support departments and facilities. Products produced include refined copper cathode, rod, and cake. Continuously cast copper rod produced at the Amarillo Copper Refinery is shipped to wire manufacturers throughout North America. Copper cakes are fabricated by ASARCO's customers into plates, sheets, strips and bars. Copper cathodes are purchased by customers to manufacture a variety of copper products.

The alternatives to deep well injection evaluated include the following:

1. Treatment and on-site irrigation or off-site discharge via NPDES permit;
2. Stabilization and off-site landfill disposal;
3. Off-site incineration/thermal treatment;
4. On-site solar evaporation; and
5. Off-site deep well injection.

With regard to treatment and on-site disposal via irrigation or offsite disposal via NPDES discharge, ASARCO’s aqueous waste stream is relatively large in volume, contains metals,

and has a pH of less than 2. In simple terms, treatment would require an increase in pH to precipitate metals then the addition of acid to return the pH back to a normal range. This process would generate large volumes of treatment sludge, which would need to be disposed and large volumes of treated wastewater. Additionally, testing has indicated that the arsenic and selenium constituents would require additional treatment to approach acceptable discharge concentration levels. This discharge of treated wastewater would be through an NPDES-type of discharge permit and would certainly have pH and metals concentrations limits. Furthermore, the predominant surface drainage in the Texas panhandle region, where ASARCO located, is primarily into a closed system of playa lakes fed by ephemeral streams. These playa lakes provide a direct infiltration pathway to the Ogallala Aquifer, which is the primary water supply for the region. Therefore, treatment of the wastes and subsequent discharge are not seen as a good alternative to deep well injection because of the increased handling and treatment of the waste, the by-products of the treatment, and the ultimate disposal of the treated waste to the environment.

The second possible disposal method is to stabilize the waste and then dispose of it off-site via landfill. The ASARCO waste stream is aqueous and consists of mainly of very low pH water and dissolved metals. To stabilize this waste stream, large volumes of sludge would be produced. It is probable that the waste would then need to go to a specialized landfill permitted for such waste and would require large transportation and disposal costs and would subject the public to possible exposure to the waste during transit. Therefore, stabilization and offsite solid disposal is not viewed as a good alternative to deep well injection.

The third possible disposal method is offsite incineration/thermal treatment. This method would require that the aqueous waste be stabilized/solidified or in the transport of large volumes of aqueous waste. This method of disposal would be very expensive as it would require long distance transport of the waste and increased potential for public exposure, and ultimately results in the disposal of the material into the biosphere. Therefore, incineration/thermal treatment is not viewed as a good alternative to deep well injection.

The fourth potential alternative disposal method is on-site solar evaporation and waste concentration. This method would require the construction of a vast system of surface impoundments at great capital expense, great operating expense, and would expose the waste to the biosphere during treatment. Additionally, the issue of the waste sludge discussed previously would still exist and need further disposal consideration. Finally, when the plant is ultimately closed and decommissioned, the environmental impact and cost of final closure would be extremely onerous. Therefore, this alternative to deep well injection does not appear to be a good option.

The last alternative disposal method considered is off-site disposal via deep well injection. This method would require the long distance transport of the aqueous waste to a commercial Class I injection well facility permitted for hazardous waste. The closest permitted facilities are located along the Gulf Coast of Texas. This method of disposal would be very expensive because of disposal costs, long distance transport of the waste,



and would include the increased potential for public exposure. Therefore, offsite deep well injection is not viewed as a good alternative to deep well injection.

Overall, on-site deep well injection is the best alternative for ASARCO based on the following observations:

- Deep well injection has a proven excellent long history (42 years) as a good disposal method for the ASARCO waste.
- Pre-treatment and handling of the waste is negligible thus minimizing the potential exposure of personnel or the environment.
- Because there is no need to transport the waste offsite for disposal, the public and environment have minimal potential for exposure to the waste.
- Deep well injection provides a consistent disposal method, which the plant can rely on, and thus provides economic stability.

**7. *(for hazardous waste injection wells only) That the applicant has provided for the proper operation of the proposed hazardous waste injection well. [TWC §27.051(a)(5)]***

ASARCO has a 47 year history of satisfactory and safe operations of the injection well system at the Amarillo Copper Refinery. ASARCO currently utilizes three of four injection wells at the facility, the first of which was installed in 1976. One well, WDW-432 is installed but is not yet in service. One well, WDW-273, was plugged and abandoned in accordance with all applicable standards in 2023. All of the wells are operated in accordance with State of Texas rules as provided for in 30 TAC Chapters 305 and 331. The testing, operation and compliance history of the ASARCO injection well system shows that proper continued operation of the injection well system can be expected going forward.

**8. *(for hazardous waste injection wells only) That the applicant for a hazardous waste injection well not located in an area of industrial land use has made a reasonable effort to ensure that the burden, if any, imposed by the proposed hazardous waste injection well on local law enforcement, emergency medical or fire-fighting personnel, or public roadways, will be reasonably minimized or mitigated. [TWC §27.051(a)(6)]***

All of the ASARCO injection wells are located in an area of industrial land use, which includes the Amarillo Copper Refinery and the Xcel Energy regional power generating facility located adjacently to the west. The remaining land surrounding the ASARCO facility is also owned by ASARCO and is agricultural (cultivated fields and pasture). Additionally, the facility is easily accessible via public roadways. ASARCO has 24/7 staffing and injection well operating parameters are continuously monitored, allowing for an immediate response to any potential emergency incident.

**9. *(for hazardous waste injection wells only) That the applicant owns or has made a good faith claim to, or has the consent of the owner to utilize, or has an option to acquire, or has the authority to acquire through eminent domain, the property or portions of the property where the hazardous waste injection well will be constructed. [TWC §27.051(a)(7)]***

ASARCO owns, in entirety, the property on which the injection wells and injection well facilities are located and operated.

10. *(for hazardous waste injection wells only) That the applicant will maintain sufficient public liability insurance for bodily injury and property damage to third parties that is caused by sudden and non-sudden accidents or will otherwise demonstrate financial responsibility in a manner adopted by the Commission in lieu of public liability insurance. [TWC §27.051(d)(3). 30 TAC § 331.121(b)(3)]*

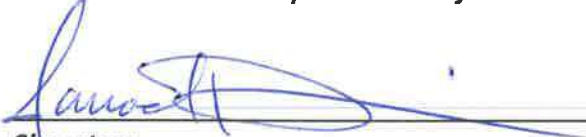
ASARCO has the required financial assurance and public liability insurance in place (see Attachment F).

11. *(for hazardous waste injection wells only) For on-site generated waste, provide certification by the owner/operator that (1) the generator of the hazardous waste has a program to reduce the volume or quantity and toxicity of the waste to the degree determined by the generator to be economically practicable, and (2) injection of the waste is that practicable method of disposal currently available to the generator which minimizes the present and future threat to human health and the environment. [30 TAC §331.121(b)(4) and 40 CFR §146.70(d)]*

ASARCO has programs and processes in operation to recover by-products for further use in conjunction with the copper refining operation. As detailed in item #6 of this attachment, injection of the waste produced is the most practicable method for disposal with regard to minimizing the present and future threat to human health and the environment.

**Waste Minimization Certification:**

***By Signature below, I certify that ASARCO is large quantity generator, and has a program in place to reduce the volume and toxicity of waste generated to the degree determined to be economically practicable. To the best of my knowledge, ASARCO has selected the most feasible method of treatment, storage, or disposal currently available, which minimizes the present and future threat to human health and the environment.***

  
Signature

04/10/2024  
Date

Sr. Health, Safety and Environmental Manger  
Title

## **ATTACHMENT C**

## **ATTACHMENT C**

### **ASARCO LLC COMPLIANCE PLAN APPLICATION FOR WDW-129, WDW- 324, and WDW-432**

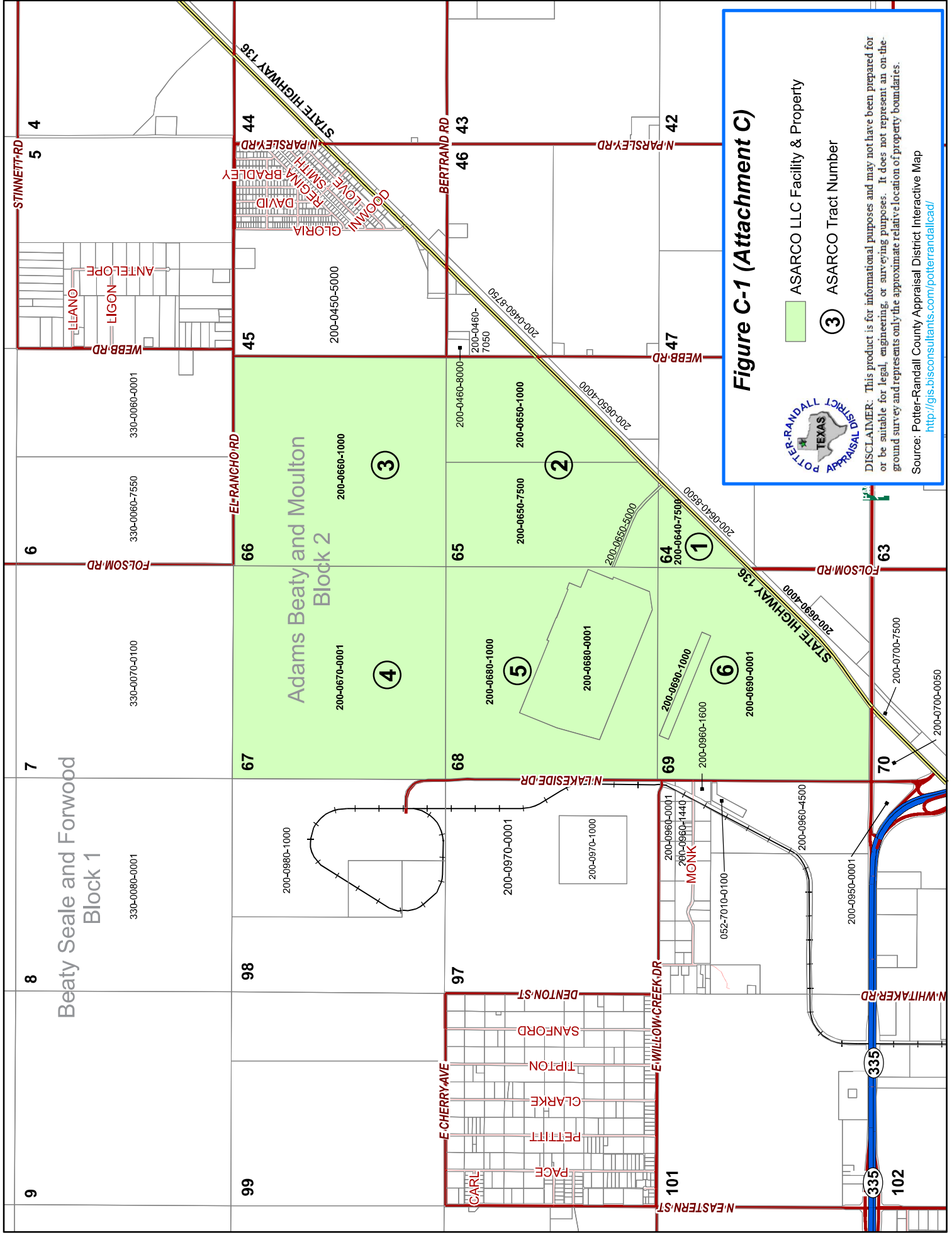
#### **ASARCO LLC - Amarillo Copper Refinery**

#### **Facility and Property Legal Description**

#### **Application Item Section I.P.5**

##### Tracts of Land for the Amarillo Copper Refinery:

- 1) A portion of Section 64, Block 2, AB&M Survey, Potter County, Texas, containing 55.26 acres of land, more or less, that lies north of State Highway 136.
  - 2) All that part of Section 65, Block 2, AB&M Survey, Potter County, Texas, which lies north of State Highway 136.
  - 3) All of Section 66, Block 2, AB&M Survey, Potter County, Texas.
  - 4) All of Section 67, Block 2, AB&M Survey, Potter County, Texas.
  - 5) All of Section 68, Block 2, AB&M Survey, Potter County, Texas.
  - 6) All of that part of Section 69, Block 2, AB&M Survey, Potter County, Texas, which lies north of State Highway 136.
- See attached Figure C-1 for location of each tract and corresponding Potter-Randall County Appraisal District property identification number.
  - Current Property Ownership Records, as documented in the Potter-Randall County Appraisal District records are summarized in attached Table B-1.
  - Copies of the deed records including necessary description of the property are included after Table C-1 and include the following:
    - Warranty Deed 431601 describes Tracts 1, 2, 4, 6, and 5, which has an excepted internal portion corresponding to the ASARCO plant.
    - Warranty Deed 722394 provides additional information concerning Tract 5 excepted from Warranty Deed 431601
    - Warranty Deed 763028 provides additional information concerning Tract 5 minerals ownership excepted from Warranty Deed 722394
    - Warranty Deed 726157 concerns Tract 3.



**Figure C-1 (Attachment C)**

- ASARCO LLC Facility & Property
- ASARCO Tract Number

DISCLAIMER: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Source: Potter-Randall County Appraisal District Interactive Map  
<http://gis.bisconsultants.com/potterrandallcad/>

**ATTACHMENT C**  
**Table C-1**

**ASARCO LLC - Current Property Ownership Record**

Property ID	Year	Property Type	Address	Legal Description	Acreage	Owner ID	Owner Name	Subdivision
B-000-0580-3001	2018	510 - INDUSTRIAL PROPERTY	7001 SH 136	Ref Acct:R-200-0680-0001.0, Owner 1:CORP, Owner 2:, Desc 1:INV,FURN, EQUIP, VEH, Desc 2:	N/A	311082	ASARCO LLC % RYAN INC 	
R-200-0640-7500.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 64 A B & M, LOT BLOCK 0002, IRREG TR BEG IN NW COR, OF SECT LYING NW OF, HWY 136	55.26	311082	ASARCO LLC % RYAN INC 	SECT 64 A B M
R-200-0650-1000.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 65 A B & M, LOT BLOCK 0002, IRREG TR OF SECT, LYING N OF HWY & RR ROW	220	311082	ASARCO LLC % RYAN INC 	SECT 65 A B M
R-200-0650-5000.0	2018	5100 - INDUSTRIAL PROP. (MANUFAC, ETC		SECT 65 A B & M, LOT BLOCK 0002, 5.78 AC OF ACCESS ROAD, IN S PTN OF W/2 OF SECT	5.78	311082	ASARCO LLC % RYAN INC 	SECT 65 A B M
R-200-0650-7500.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 65 A B & M, LOT BLOCK 0002, W/2 OF SECT LESS 5.78, AC ACCESS ROAD & LESS, HWY & RR ROW	311.84	311082	ASARCO LLC % RYAN INC 	SECT 65 A B M
R-200-0660-1000.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 66 A B & M, LOT BLOCK 0002, ENTIRE SECT	643.6	311082	ASARCO LLC % RYAN INC 	SECT 66 A B M
R-200-0670-0001.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 67 A B & M, LOT BLOCK 0002, ENTIRE SECT LESS ROW	636.35	311082	ASARCO LLC % RYAN INC 	SECT 67 A B M
R-200-0680-0001.0	2018	5100 - INDUSTRIAL PROP. (MANUFAC, ETC	7001 SH 136	SECT 68 A B & M, LOT BLOCK 0002, IRREG 250 AC IN S/2 &, IN NW/4 OF SECT	250	311082	ASARCO LLC % RYAN INC 	SECT 68 A B M
R-200-0680-1000.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 68 A B & M, LOT BLOCK 0002, ENTIRE SECT LESS 250 AC, TR & LESS ROW	386.36	311082	ASARCO LLC % RYAN INC 	SECT 68 A B M
R-200-0690-0001.0	2018	3000 - QUALIFIED OPEN SPACE LAND - RE		SECT 69 A B & M, LOT BLOCK 0002, ENTIRE SECT LYING NW OF, HWY 136 LESS 15.3 AC, IN NORTH PTN	525.08	311082	ASARCO LLC % RYAN INC 	SECT 69 A B M
R-200-0690-1000.0	2018	5100 - INDUSTRIAL PROP. (MANUFAC, ETC		SECT 69 A B & M, LOT BLOCK 0002, 15.3 ACS MARSHALLING, YARD IN NORTH PTN OF SECT	15.3	311082	ASARCO LLC % RYAN INC 	SECT 69 A B M

Property ID number keyed to Figure C-1.

Note that Property ID number B-000-0580-3001 refers to equipment, vehicles, furniture, inventory, etc. associated with property ID 200-0680-0001 which is the ASARCO main plant.

Source: Potter-Randall County Appraisal District - Potter-Randall CAD Property Search Review conducted on 11/16/23. Available at <http://esearch.prad.org/Search/Result?keywords=ASARCO%20LLC>

## **WARRANTY DEED 431601**

Concerning Tracts 1, 2, 4, 5, and 6  
(See Figure C-1, Attachment C)

431601

WARRANTY DEED

Bibson, Ochsner, Adkins  
Harlan & Hankins  
300 Fisk Building  
79101 Attn: J. M. House

THE STATE OF TEXAS    )  
                              )  
COUNTY OF POTTER    )    KNOW ALL MEN BY THESE PRESENTS:

That RED RIVER AUTHORITY OF TEXAS, as created by Article 8280-228 of the Revised Civil Statutes of Texas, for a good and valuable consideration, receipt and sufficiency of which is hereby acknowledged has GRANTED SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto ASARCO Incorporated, a New Jersey corporation, all of that certain land located in Potter County, Texas, and described on Exhibit "A" hereto.

This conveyance and the warranty contained below are subject to all easements, roads, and outstanding mineral interests against the land covered hereby as are reflected of record in Potter County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto and anywise belonging, unto the said Grantee, and its successors and assigns forever; and Grantor does hereby bind itself, and its successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 16th day of June, 1975, to be effective, however,  
as of the 16th day of June, 1976.

ATTEST: RED RIVER AUTHORITY OF TEXAS

William A. Summers By Alvin L. Barker  
Secretary, Board of Directors President, Board of Directors



THE STATE OF TEXAS )  
 )  
COUNTY OF POTTER )

Before me, the undersigned authority, on this day personally appeared ALVIN L. BARNES, President of RED RIVER AUTHORITY OF TEXAS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of RED RIVER AUTHORITY OF TEXAS.

Given under my hand and seal of office on this the 16<sup>th</sup> day of June, 1975.



*Dusan Beyp*  
Notary Public, Potter County, Texas  
My Commission Expires June 1, 1977

VOL. 1272 PAGE 145

## EXHIBIT "A"

A tract of land Sections 64, 65, 67, 68 and 69, all in Block 2, A. B. & M. Survey, Potter County, Texas, such tract of land described by metes and bounds as follows:

BEGINNING at the Southwest corner of Section 69, Block 2, A. B. & M. Survey;  
 THENCE N 0° 7' 43" E. 5,290.4 feet to the Northwest corner of section 69 and the Southwest corner of section 68;  
 THENCE N 0° 6' 10" E 5,276.2 feet to the Northwest corner of Section 68 and the Southwest corner of section 67;  
 THENCE N 0° 01' 30" E 5,299.78 feet to the Northwest corner of section 67;  
 THENCE E 5,279.74 feet to a point being the Northeast corner of section 67 and the Northwest corner of section 66;  
 THENCE S 0° 0' 36" E 5,298.29 feet to the Southeast corner of section 67 and the Northeast corner of section 68, same being the Northwest corner of section 65;  
 THENCE S 89° 56' 26" E 2,636.94 feet to a point in the North boundary line of section 65 and the South boundary line of section 66;  
 THENCE S 0° 0' 19" E 4,798.56 feet to a point being the intersection of the East line of the West half of survey 65 and the North right-of-way line of State Highway 136;  
 THENCE S 44° 47' 27" W at 689.84 feet the North line of section 64, at 3,759.74 feet the West line of section 64 at 6,120.91 feet a point in the North right-of-way line of Highway 136 and the beginning point of a curve to the right;  
 THENCE around a curve to the right having a radius of 5,609.20 feet and a central angle of 8° 56' 30", a distance of 875.38 feet;  
 THENCE S 53° 44' 8" W 1,059.13 feet to a point being the beginning of a curve to the left;  
 THENCE along said curve to the left having a radius of 5,849.20 feet and a central angle of 8° 55' 8" a distance of 910.51 feet to a point in the south line of section 69 and being the intersection of the South line of section 69 and the North right-of-way line of Highway 136;  
 THENCE N 89° 56' 9" W 1,734.16 feet to the place of beginning.

SAVE AND EXCEPT, AND THERE IS EXCEPTED HEREFROM, a parcel of land located within section 68, Block 2 of the A. B. & M. Survey, Potter County, Texas, described pursuant to the Texas Coordinate System as follows:

BEGINNING at a point defined by the Texas Coordinate System North Zone as North 466,306.81 feet and East 1,932,291.81 feet;  
 THENCE South 82° 00' 25" West, 456.08 feet;  
 THENCE North 68° 00' 00" West, 2081.99 feet;  
 THENCE North 46° 05' 12" West, 99.17 feet;  
 THENCE South 49° 11' 53" West, 41.59 feet;

THENCE North 68° 00' 00" West, 1301.99 feet;  
THENCE North 15° 44' 48" East, 1092.51 feet;  
THENCE North 22° 00' 00" East, 1008.99 feet;  
THENCE South 68° 00' 00" East, 1934.01 feet;  
THENCE North 22° 00' 00" East, 50.00 feet;  
THENCE South 68° 00' 00" East, 598.00 feet;  
THENCE South 22° 00' 00" West, 13.00 feet;  
THENCE South 68° 00' 00" East, 767.00 feet;  
THENCE North 22° 00' 00" East, 30.00 feet;  
THENCE South 68° 00' 00" East, 162.00 feet;  
THENCE South 22° 00' 00" West, 308.00 feet;  
THENCE South 68° 00' 00" East, 488.00 feet;  
THENCE South 22° 00' 00" West, 657.00 feet;  
THENCE South 68° 00' 00" East, 60.00 feet;  
THENCE South 22° 00' 00" West, 969.00 feet to the said  
point of beginning.

VOL 1272 PAGE 147

STATE OF TEXAS }  
COUNTY OF POTTER }

I hereby certify that this instrument was FILED on this  
date and of the time stamped hereon by me and was duly

RECORDED in the Volume and Page of the *Deed*  
RECORDS of POTTER COUNTY, Texas  
as stamped hereon by me.



PAWNEE GAITHER  
County Clerk  
Potter County, Texas

*Ella Washington*

76 MAY 28 AM 11 30  
POTTER COUNTY, TEXAS  
PAWNEE GAITHER, CLERK

6-16-75

*C & A R Co, Incorporated*

*20*

*Red River Authority of  
Oklahoma*

*Shawanty Trust*

## **WARRANTY DEED 722394**

Additional Information Concerning Tract 5  
(See Figure C-1, Attachment C)

722394

WARRANTY DEED

THE STATE OF TEXAS. I  
COUNTY OF POTTER I

KNOW ALL MEN BY THESE PRESENTS:

THAT we, EARL C. DIAL and wife, DORIS E. DIAL, ELSIE V. DIAL, and JULIA H. WHITE, all of Potter County, Texas, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to us in hand paid by AMERICAN SMELTING AND REFINING COMPANY, a New Jersey corporation, the receipt of which is hereby acknowledged, and for the payment of which no lien, expressed or implied, is retained, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said AMERICAN SMELTING AND REFINING COMPANY, all that certain lot, tract or parcel of land situated in Potter County, Texas, more particularly described as follows:

All of Section No. Sixty-eight (68) in Block No. Two (2), A.B. & M. Survey, Potter County, Texas; HAVE AND EXCEPT an undivided one-fourth (1/4) of all oil, gas and other minerals in and under the above described property, being the identical mineral interest previously conveyed by Kathleen W. Hagaman and husband, F.W. Hagaman, to M. H. Thompson by mineral deed dated August 5, 1944, recorded in Volume 135, page 108, of the Deed Records of Potter County, Texas; SUBJECT TO all recorded, visible and apparent rights of way and easements upon or attributable to the above described property.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said AMERICAN SMELTING AND REFINING COMPANY, its successors and assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said AMERICAN SMELTING AND REFINING COMPANY, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our hands at Amarillo, Texas, this 14th day of May, 1971.

Earl C. Dial  
Earl C. Dial  
Doris E. Dial  
Doris E. Dial  
Elsie V. Dial  
Elsie V. Dial  
Julia H. White  
Julia H. White

COUNTY CLERK'S MEMO  
Portions of this document not  
legible and/or reproducible when  
received for recording.

Envelope - In - Drawer

Return To:
Prentice Hall Legal & Financial Services
P.O. Box 1110
Albany, NY 12201-1110
Fees:

**COUNTY CLERK'S MEMO**

Portions of this document may  
not be legible and/or reproducible  
when received for recording

STATE OF TEXAS }  
COUNTY OF POTTER }

I hereby certify that this instrument was FILED on this  
date and at the time stamped hereon by me and was duly  
RECORDED in the OFFICIAL PUBLIC RECORDS OF  
POTTER COUNTY, TEXAS, in the Volume and Page as  
shown.

MRS. SUE DANIEL  
County Clerk,  
Potter County, Texas



by Quincy Lipson  
DEPUTY

Any provision herein which restricts the sale, rental, or use  
of the described real property because of color or race is  
invalid and unenforceable under federal law.

OPTIONAL FORM NO. 1  
JULY 1973 EDITION  
GSA FPMR (41 CFR) 101-11.6

**WARRANTY DEED 726157**

Concerning Tract 3  
(See Figure C-1, Attachment C)



WARRANTY DEED

STATE OF TEXAS  
COUNTY OF POTTER

X  
X  
X

Know all men by these presents that we, Bonny Jean Stalnaker Roth, joined herein by her husband, Robert Roy Roth, and Sally Ann Stalnaker, a feme sole, hereinafter called "Grantor", for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration in hand paid to the Grantor, the receipt of which is hereby acknowledged, and by these presents do GRANT, SELL and CONVEY unto ASARCO INCORPORATED, hereinafter called "Grantee", all of the following described property in Potter County, Texas, to-wit:

All of Section 66, Block 2, AB&M Survey, Potter County, Texas; and

All that part of the East 1/2 of Section No. 65, which lies North of Texas State Highway 136, Block No. 2, AB&M Survey, Potter County, Texas, together with any and all improvements located thereon and all rights, privileges, appurtenances pertaining thereto, including but not limited to water rights, claims, permits and all rights and obligations of applicable government programs; subject however to the following:

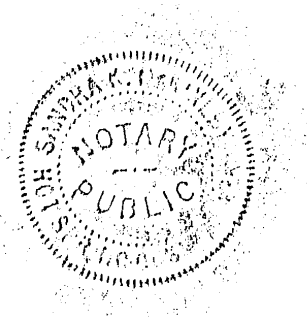
- (1) Right-of-Way Deed dated June 5, 1924, recorded in Volume 112, Page 485 of the Deed Records of Potter County, Texas.
- (2) Right-of-Way Deed dated July 3, 1926, recorded in Volume 160, Page 629 of the Deed Records of Potter County, Texas.
- (3) Easement dated June 18, 1942, recorded in Volume 318, Page 104 of the Deed Records of Potter County, Texas.
- (4) Right-of-Way Deed dated December 28, 1953, recorded in Volume 659, Page 325 of the Deed Records of Potter County, Texas.

(5) Right-of-Way Deed dated December 15, 1959, recorded in Volume 857, Page 416 of the Deed Records of Potter County, Texas.

(6) The rights of J. Lloyd Whitaker to harvest the wheat crop now growing on said Section 66, Block 2, AB&M Survey, Potter County, Texas and all that part of the East 1/2 of Section 65, which lies North of Texas State Highway 136, Block 2, AB&M Survey, Potter County, Texas.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said ASARCO INCORPORATED, its Successors and Assigns forever; and Grantor does hereby bind themselves, their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said ASARCO INCORPORATED, its Successors and Assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS our hands this the 4th day of April, 1991.



Bonny Jean Stalnaker Roth  
Bonny Jean Stalnaker Roth

Robert Roy Roth  
Robert Roy Roth

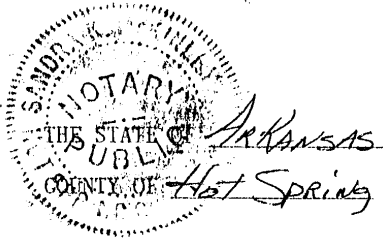
Sally Ann Stalnaker  
Sally Ann Stalnaker

THE STATE OF ARKANSAS  
COUNTY OF HOT SPRING

X  
X  
X

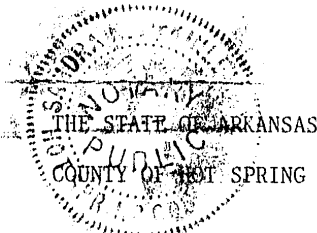
This instrument was acknowledged before me on this the 4th day of April, 1991, by Bonny Jean Stalnaker Roth.

Sandra K. McKinley  
Notary Public  
My Commission Expires: 6-5-93



This instrument was acknowledged before me on this the 4th day of April, 1991, by Robert Roy Roth.

*Sandra K. McKinley*  
Notary Public  
My Commission Expires: 6-5-93



This instrument was acknowledged before me on this the 4th day of April, 1991, by Sally Ann Stalnaker.

*Sandra K. McKinley*  
Notary Public  
My Commission Expires: 6-5-93

*Encl. in drawer*

Grantee's Address:

ASARCO, Incorporated  
Post Office Box 30200  
Amarillo, Texas 79120

at 4:10 FILED FOR RECORD P.M.

APR 25 1991

Mrs. Sue Daniel, County Clerk, Potter Co. Tx.  
By DE Deputy

7.00-204135

STATE OF TEXAS }  
COUNTY OF POTTER }

I hereby certify that this instrument was FILED on this date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF POTTER COUNTY TEXAS, in the Volume and Page as shown.



MRS. SUE DANIEL  
County Clerk,  
Potter County, Texas

by Pat Ince  
DEPUTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law

## **WARRANTY DEED 763028**

Additional Information Concerning Tract 5 Mineral Rights  
(See Figure C-1, Attachment C)

763028

SPECIAL WARRANTY DEED

**Date:** Effective as of July 26, 1991

**Grantor:** Ollie L. Thomason, widow of M.H. Thomason, whose mailing address is 3308 Cumberland, Wichita Falls, Wichita County, Texas; and Ollie L. Thomason, Hugh Lee Matthews and Joseph N. Sherrill, Jr., Independent Executors of the Estate of M.H. Thomason, Deceased, and Trustees of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased, whose mailing addresses are c/o Sherrill & Pace, 1100 Hamilton Building, Wichita Falls, Wichita County, Texas, 76301.

**Grantee:** ASARCO Incorporated

**Grantee's Mailing Address:**

Post Office Box 30200  
Amarillo, Potter County, Texas 79120

**Consideration:** Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor.

**Property (including any improvements):**

All of our right, title and interest in and to all of Section 68, Block 2, AB&M Survey, Potter County, Texas, being not less than an undivided one-quarter interest in the oil, gas, and other minerals in, on, under and that may be produced from such section.

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

None

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

Grantor represents to Grantee that the M.H. Thomason Trust created pursuant to the Will of M.H. Thomason, Deceased, probated in cause number 18,125 in Wichita County, Texas, has been fully funded by assets of the estate separate and apart from the Property conveyed herein and, therefore, that the joinder of the Trustees of such M.H. Thomason Trust (being Ollie L. Thomason, Hugh Lee Matthews and Joseph N. Sherrill, Jr.) is not required in this Special Warranty Deed.

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

Ollie L. Thomason

Ollie L. Thomason, individually and as Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased

Hugh Lee Matthews

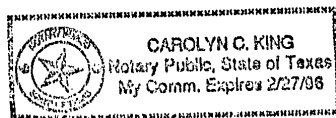
Hugh Lee Matthews, Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased

Joseph N. Sherrill, Jr.

Joseph N. Sherrill, Jr., Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased

STATE OF TEXAS §  
COUNTY OF WICHITA §

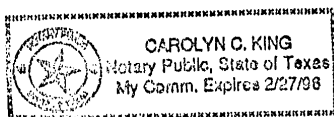
This instrument was acknowledged before me on the 18th day of January, 1993, by Ollie L. Thomason, individually and as Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased.



Carolyn C. King  
Notary Public, State of Texas

STATE OF TEXAS §  
COUNTY OF WICHITA §

This instrument was acknowledged before me on the 18th day of January, 1993, by Hugh Lee Matthews, Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased.

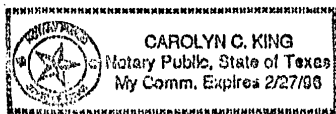


Carolyn C. King  
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF WICHITA§  
§  
§

This instrument was acknowledged before me on the 18th day of January, 1993, by Joseph N. Sherrill, Jr., Independent Executor of the Estate of M.H. Thomason, Deceased, and Trustee of the Jo Trust created under the terms of the Last Will and Testament of M.H. Thomason, Deceased.



Carolyn C. King  
Notary Public, State of Texas

STATE OF TEXAS }  
COUNTY OF POTTER }

I hereby certify that this Instrument was FILED on this date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF POTTER COUNTY TEXAS, in the Volume and Page as

MRS. SUE DANIEL

County Clerk,

Potter County, Texas



by Valerie Caswell  
DEPUTY

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

FILED FOR RECORD  
at 2:35P

FEB 02 1993

Mrs. Sue Daniel, County Clerk, Potter Co. Tx

By [Signature] Deputy

\$9.00 # 226488

— Envelope —

EW AFTER RECORDING RETURN TO:

Jerome W. Johnson  
Post Office Box 9158  
Amarillo, Texas 79105

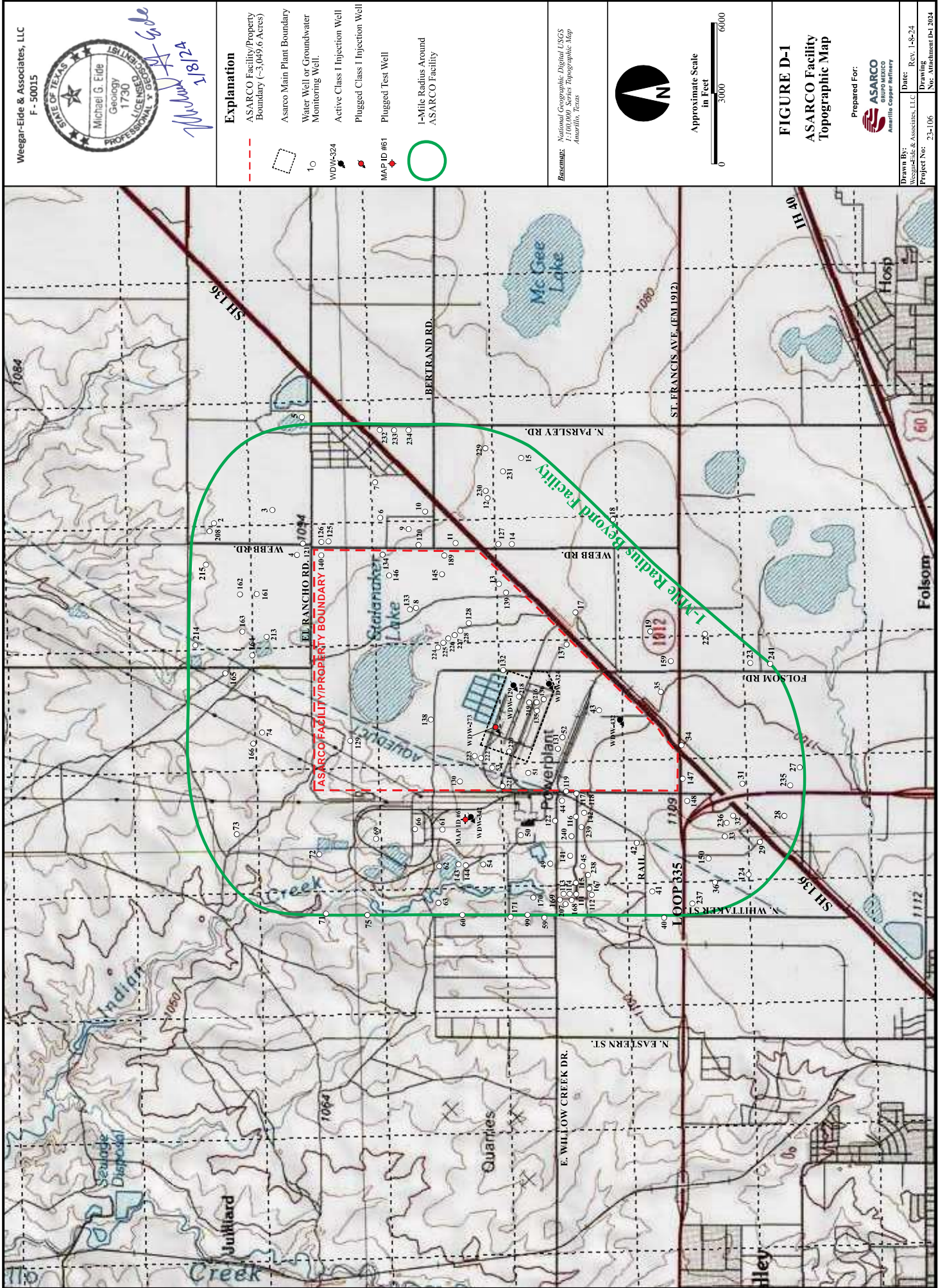
PREPARED IN THE LAW OFFICE OF:

Underwood, Wilson, Berry,  
Stein & Johnson, P.C.  
Post Office Box 9158  
Amarillo, Texas 79105

Special Warranty Deed--Page 3

## **ATTACHMENT D**







Weegar-Eide & Associates, LLC  
F - 50015



Base Aerial Photograph from Google Earth Pro, 2024, Imagery from 2/4/21

Approximate Scale



**TABLE D-1**  
**WATER WELLS TABULATION WITHIN ONE MILE OF THE FACILITY BOUNDARY**  
**ASARCO LLC**

MAP ID #	STATE ID #	OWNER	TOTAL DEPTH	DATE DRILLED	WATER LEVEL	WELL TYPE
01	131	J.S. Saunders	215	1900	205	Domestic
02	133	A. Doche	260	1916	230	Domestic
03	06-43-5A	Mike Boyer	350	5/19/79	---	Domestic
---	06-43-5A	Richard Weathers	360	9/1/83	---	Domestic
---	06-43-5A	Billy Blevins	350	5/31/85	---	Domestic
	06-43-5A	Ed Brisco	340	5/1/83	---	Domestic
04	132	City Improvement Co.	238	1918	215	
05	06-43-5E	Marvin Brown	345	9/26/84	180	Domestic
06	06-43-5C	Westar Transmission Company	290	4/7/82	190	Ind. Supply
07	148	Louis Johnson	235	---	207	Domestic
08	06-43-4C	Holmes (aka Stalanaker Windmill)	267	11/13/83	150	Livestock
09	06-43-5B	Jerry Munson	370	10/17/79	228	Domestic
10	149	West Texas Gas Co.	502	1927	216	---
11	150	---	---	---	---	---
12	06-43-8A	---	---	---	---	---
13	06-43-4D	Boyd Jones	330	4/25/84	180	Domestic
14	151	11. L. Neusch	220	1900	---	---
15	06-43-8C	Doug Kalka	275	3/25/82	---	Livestock
17	195	T.W. Stalnaker	250	---	---	---
18	06-43-8D	Mike Brandt	74	11/82	36	---
19	06-43-7F	Tom Fine	225	8/13/81	45	---
	06-43-7F	Carroll Kalka	360	9/3/81	---	Livestock
	06-43-7F	LX Cattle Co.	150	9/1/81	120	Livestock
22	196	Katherine Schwoell	120	1910	---	
23	06-43-703	B.E. Kinzer	175	1963	155	Domestic/Stock
27	197	Rockwell Estate	230	1908	184	---
28	06-43-7B	Donald Webb	348	12/18/70	270	Domestic
	06-43-7B	Donald Webb	491	3/29/71	200	Domestic
29	06-43-701	Bud Meacham	510	1971	170	Domestic/Stock
31	198	Ed Mayer	250	1915	---	---
32	06-43-702	H.P. Palmer		530	1971	Domestic
33	06-43-7S	Jean Moss	260	7/17/82	170	Domestic
34	199	---	---	---	---	---
35	06-43-7C	Zickafoos	529	3/17/73	120	Domestic
36	06-42-9P	Vat Impeng	230	6/3/81		Domestic
40	06-42-9S	Arnoldo Garcia	260	3/30/82	135	Domestic
	06-42-9S	Ken Gossman	270	9/16/83	---	Domestic
	06-42-9S	Jerry Parker	240	9/8/83	---	Domestic
41	203	Charles Pavillard	235	1905	217	Domestic
42	06-42-9AA	Tom Conoley	324	6/11/83	170	Domestic
43	200	John G. Jordan (Fritch Station)	201	---	---	Stock
44	06-43-7G	Higginbotham	260	12/15/81	170	Domestic
	06-43-7G	Southwestern Public Service/Friday	256	12/11/80	---	Domestic
	06-43-7G	Southwestern Public Service/Friday	256	11/81	---	Domestic
45	202	Charles Pavillard	187	---	---	---
49	06-42-903	Southwestern Public Service	240	6/58	---	Industrial
50	06-43-7D	Southwestern Public Service #2	203	3/6/79	57	Test
	06-43-7D	Southwestern Public Service	126	6/30/83	---	Industrial Recovery
	06-43-7D	Southwestern Public Service	136	6/29/83	---	Industrial Recovery
	06-43-7D	Southwestern Public Service #T-17	167	12/9/81	---	Test
	06-43-7D	Southwestern Public Service	168	12/81	---	Test
	06-43-7D	Southwestern Public Service #034	161	2/16/82	---	Test

TABLE D-1 (Continued)  
WATER WELL TABULATION WITHIN ONE MILE OF THE FACILITY BOUNDARY  
ASARCO LLC

MAP ID #	STATE ID #	OWNER	TOTAL DEPTH	DATE DRILLED	WATER LEVEL	WELL TYPE
50	06-43-7D	Southwestern Public Service	148	2/15/82	---	Test
	06-43-7D	Mike Culwell	93	5/81	50	Livestock-
	06-43-7H	Bill Roberson	260	11/2/81	120	Domestic
52	06-43-7A	ASARCO LLC	---	1976	---	Unknown
53	201	W.J. and A.N. Kilburz	---	---	---	---
54	06-42-901	Southwestern Public Service Co.	230	Obs. 3/22/72	155	Industrial
59	06-42-904	Kenneth Williamson	230	4/21/66	128	Domestic
	06-42-6A	Glen Tiffin	260	5/80	120	Domestic
	06-42-6A	Southwestern Public Service	188	7/11/84	---	Ind. Supply
	06-42-6A	Glen Tiffin	260	5/80	120	Domestic
	06-42-6A	Southwestern Public Service	188	7/11/84	---	Ind. Supply
60	06-42-9	Chris & Ronda Cooper	260	6/20/87	---	Domestic
61	06-43-7E	Southwestern Public Service #9	223	6/19/79	54	Unknown---
	06-43-7E	Southwestern Public Service	244	6/16/79	44	Unknown
	06-43-7E	Southwestern Public Service	231	6/15/79	46	Unknown
	06-43-7E	Southwestern Public Service	250	6/14/79	55	Unknown
	06-43-7E	Southwestern Public Service	223	6/11/79	46	Unknown
	06-43-7E	Southwestern Public Service	222	6/12/79	38	Unknown
	06-43-7E	Southwestern Public Service	242	6/18/79	49	Unknown
	06-43-7E	Southwestern Public Service	148	2/12/82	---	Observation
	06-43-7E	Southwestern Public Service	160	12/81	---	Irrigation
		#T-15 Recovery				
	06-43-7E	Southwestern Public Service	160	12/10/81	---	Irrigation
		#T-24 Recovery				
62	06-42-601	Southwestern Public Service	252	---	142	Industrial
63	06-42-6D	Southwestern Public Service	221	3/5/79	24	Test
	06-42-6B	Southwestern Public Service	156	7/16/84	---	Test
	06-42-6B	Southwestern Public Service	168	7/17/84	---	Test
	06-42-6B	J.B. McMinn	242	2/27/74	---	Domestic
	06-42-6B	Kenneth Carr	242	11/11/66	125	Domestic
66	06-43-4B	Southwestern Public Service	141	2/1/82	---	Test
	06-43-4B	Southwestern Public Service	131	2/9/82	---	Test
	06-43-4B	Southwestern Public Service	121	2/9/82	---	Test
	06-43-4B	Southwestern Public Service	136	2/10/82	---	Test
	06-43-4B	Southwestern Public Service	121	2/10/82	---	Test
	06-43-4B	Southwestern Public Service	137	2/10/82	---	Test
	06-43-4B	Southwestern Public Service	140	12/21/81	---	Test
	06-43-4B	Southwestern Public Service	140	12/81	---	Test
	06-42-6H	Southwestern Public Service	130	6/28/83	---	Test
69	06-43-4A	Southwestern Public Service	140	10/26/79	67	Test
	06-42-6F	Southwestern Public Service	100	10/24/79	24	Test
	06-42-6F	Southwestern Public Service	140	11/13/79	63	Test



TABLE D-1 (Continued)  
WATER WELL TABULATION WITHIN ONE MILE OF THE FACILITY BOUNDARY  
ASARCO LLC

MAP ID #	STATE ID #	OWNER	TOTAL DEPTH	DATE DRILLED	WATER LEVEL	WELL TYPE
71	06-42-6G	Southwestern Public Service	171	2/6/82	---	Test
	06-42-6G	Southwestern Public Service	141	12/15/81	---	Test
	06-42-6G	Southwestern Public Service	170	1/7/82	---	Test
72	06-42-6E	Southwestern Public Service	120	10/25/79	76	Test
73	130	---	131	Unknown	---	Unknown
74	06-43-4C	M.L. Carter	270	10/14/83	---	Domestic
75	06-42-6	Southwestern Public Service	145	3/14/88	---	Unknown
	06-42-6	Southwestern Public Service	174	3/11/88	---	Unknown
	06-42-6	Southwestern Public Service	183	2/19/88	---	Unknown
	06-42-6	Southwestern Public Service	156	2/23/88	---	Unknown
	06-42-6	Southwestern Public Service	176	2/8/88	---	Irrigation
99	06-42-6	Southwestern Public Service	156	2/4/88	---	Irrigation
	06-42-6	Terry Carver	275	5/30/87	---	Domestic
	06-42-6	Ray Rosas	290	10/6/87	---	Domestic
	06-42-6	Joe Brooks	235	10/13/87	---	Domestic
	06-42-6	Ivan Gatlin	302	10/26/87	---	Test Well
	06-42-6	Ivan Gatlin	288	11/5/87	---	Test Well
	06-42-6	Ivan Gatlin	300	11/3/87	---	Domestic
	06-42-6	Cliff Axton	320	11/3/87	---	Domestic
	06-42-6	Clifford Axton	288	11/19/87	---	Domestic
	06-42-6	Mr. Dahl	294	11/24/87	---	Domestic
	06-42-6	Clark Camp	302	12/9/87	---	Domestic
	06-42-9	Southwestern Public Service	187	2/16/88	---	Ind. Supply
	06-42-9	Jack Garrett	290	2/12/88	180 ft BGL	Domestic
	06-42-9	Johnny Taylor	220	11/10/87	150 ft BGL	Domestic
	06-42-9	Rangel Pablo	230	9/17/87	---	Domestic
	06-43-7	Southwestern Public Service	140	2/2/88	---	Irrigation
	06-43-7	Southwestern Public Service	173	3/1/88	---	Irrigation
	06-43-7	Southwestern Public Service	175	3/9/88	---	Irrigation
	06-43-7	Southwestern Public Service	170	3/18/88	---	Irrigation
	06-43-7	Southwestern Public Service	156	3/22/88	---	Irrigation
	06-43-7	Southwestern Public Service	152	3/23/88	---	Irrigation
105	06-42-9	Deann Koonce	270	10/9/97	145 ft BGL	Domestic
111	---	Colonial Homes/Monty Cox	240	4/12/03	158 ft BGL	Domestic
112	---	Austin Swafford	240	5/29/03	155 ft BGL	Domestic
113	---	Colonial Homes/Leon Rahorst	254	1/31/03	150 ft BGL	Domestic
114	06-42-9	Frank Worley	280	6/26/97	160 ft BGL	Domestic
115	06-42-9	Allan Burlingame	280	7/12/01	145 ft BGL	Domestic
116	06-42-9	Mark Rhodes	280	3/13/01	187 ft BGL	Domestic
117	---	Frank Muro	245	3/5/98	180 ft BGL	Domestic
118	06-42-9	Mike Wilson	260	8/27/97	140 ft BGL	Domestic
119	06-43-7	Johnny Kimberling	240	3/25/02	158 ft BGL	Domestic
	06-43-7	Martin Marales	270	6/17/89	160 ft. BGL	Domestic
120	---	Norman Sanders	340	8/3/93	180 ft BGL	Domestic
121	06-43-5	Debbie Brasleton	365	2/23/01	240 ft BGL	Domestic
122	06-43-705	Sammy Giddeon	---	Inventoried on 8/03	---	Domestic
124	06-42-9	Jerry Bailey	490	7/12/01	310 ft BGL	Domestic
125	06-43-5	Robert Dugan	358	12/2/95	240 ft BGL	Domestic
126	06-43-5	Pat McMeen	358	9/23/95	240 ft BGL	Domestic
127	---	Kalka Well	---	---	---	Domestic
128	---	Asarco Property East Windmill	---	---	---	Livestock
129	---	Asarco Property NW Windmill	---	---	---	Livestock
130	---	Asarco Property Dial Windmill	---	---	---	Livestock

TABLE D-1 (Continued)  
WATER WELL TABULATION WITHIN ONE MILE OF THE FACILITY BOUNDARY  
ASARCO LLC

MAP ID #	STATE ID #	OWNER	TOTAL DEPTH	DATE DRILLED	WATER LEVEL	WELL TYPE
131	---	Asarco Property MW-1	146	11/9/04	130	Monitoring
132	---	Asarco Property MW-2	117	11/11/04	106	Monitoring
133	---	Asarco Property MW-3	150	4/9/05	132	Monitoring
134	---	Asarco Property MW-4s	185	11/18/04	180	Monitoring
		Asarco Property MW-4d	325	11/7/08	190	Monitoring
135	---	Asarco Property MW-5s	125	4/10/05	111	Monitoring
	---	Asarco Property MW-5d	297	12/23/05	240	Monitoring
136	---	Asarco Property MW-6	125	4/10/05	110	Monitoring
137	---	Asarco Property MW-7S	127	4/18/05	112	Monitoring
	---	Asarco Property MW-7D (PZ)	175	4/9/05	Dry	Monitoring
138	---	Asarco Property MW-8	128	4/7/05	113	Monitoring
139	---	Asarco Property MW-9	148	4/8/05	133	Monitoring
140	---	Asarco Property MW-10	336	11/5/08	200	Monitoring
141	171687	L&L Services	280	2/15/09	---	Domestic
142	63693	Lynn Fisher	278	7/6/05	---	Domestic
143	166956	Xcel Energy	302	12/30/04	---	De- watering
144	166958	Xcel Energy	272	12/19/04	---	De- watering
145	401165	Asarco Property MW-11D	289	12/19/14	---	Monitoring
		Asarco Property MW-11S	150	12/12/14	---	Monitoring
146	401159	Asarco Property MW-12D	285	1/13/15	---	Monitoring
	401163	Asarco Property MW-12S	165	12/11/14	---	Monitoring
147	97682	Bob Scott/Chad Cole	274	8/23/06	---	Domestic
148	95820	Jose Garcia	300	9/25/03	---	Domestic
150	360028	Ray Mahmood	272	4/2/14		Domestic
159	19175	IBP MW-1	273	3/21/03	Plugged	Monitoring
	19176	IBP MW-2	273	3/23/03		Monitoring
		IBP MW-3	273	3/23/03		Monitoring
161	15722	Xcel Energy	280	11/26/02		Test Well
162	15719	Xcel Energy	250	11/25/02		Test Well
163	15710	Xcel Energy	366	11/20/02		Test Well
164	15723	Xcel Energy	350	12/1/02		Test Well
165	15765	Xcel Energy	365	12/2/02		Test Well
166	15735	Xcel Energy	300	2/12/02		Test Well
167	111598	Billy Hefley	258	5/1/07		Domestic
168	360425	Robin Neusch	310	2/26/14		Domestic
169	334096	Fredrico Saldana	280	9/5/06		Domestic
170	357857	B&J Construction	272	3/17/14		Domestic
171	268273	Eunabeth Williamson	274	6/1/11		Domestic
176	254173	Tim Cutrell	250	5/2/11		Domestic
189	430220	Asarco Property MW-13	175	7/12/16	200	Monitoring
207	06-42-9	Leon Rabhorst	254	1/31/03		Domestic
208	06-43-5	Barry Christy	370	2/27/95		Domestic
213	0643421	Xcel Energy	252	Unknown	180	Monitoring
214	15736	Xcel Energy	246	2002		Test Well
215	15716	Xcel Energy	260	2002		Test Well

TABLE D-1 (Continued)  
WATER WELL TABULATION WITHIN ONE MILE OF THE FACILITY BOUNDARY  
ASARCO LLC

MAP ID #	STATE ID #	OWNER	TOTAL DEPTH	DATE DRILLED	WATER LEVEL	WELL TYPE
216	---	Asarco Property MW-14	128	5/29/18	106 109	Monitoring
217	---	Asarco Property MW-2	117	11/11/04		Monitoring
218	641502	Asarco Property MW-15	120	5/31/23		Monitoring
219	641499	Asarco Property MW-16	145	6/1/23		Monitoring
220	641501	Asarco Property MW-17	125	5/30/23		Monitoring
221	641500	Asarco Property MW-18	175	5/30/23		Monitoring
222	651403	Asarco Property MW-19	131	10/2/23		Monitoring
223	651405	Asarco Property MW-20	140	10/4/23		Monitoring
224	603383	Asarco Property RW-4	168	10/15/21		Recovery
225	603364	Asarco Property RW-2	155	10/15/21		Recovery
226	603359	Asarco Property RW-1	182	10/13/21		Recovery
227	603370	Asarco Property RW-3	157	10/16/21		Recovery
228	603387	Asarco Property RW-5	158	10/18/21		Recovery
229	524061	Oakwood Homes	360	9/7/2019		Domestic
230	530778	Clayton Homes	360	10/26/19		Domestic
231	565254	M. Neush/J. Whitaker	335	1/26/21		Domestic
232	551681	Amarillo Home Center	355	7/27/20		Domestic
233	551685	Amarillo Home Center	405	7/16/20		Domestic
234	551686	Amarillo Home Center	330	7/13/20		Domestic
235	556484	Carlos Olivas	310	10/14/20		Domestic
236	509596	Ricardo Quintana	535	3/29/19		Domestic
237	472923	Gildardo Orrantia	525	2/15/18		Domestic
238	469399	Stanley Olsson	285	1/5/18		Domestic
239	651543	Brynem Modern Homes	280	9/1/23		Domestic
	645686	Brynem Modern Homes	280	6/30/23		Domestic
240	99783	Johnny Potatka	310	11/18/06		Domestic
241	06-43-7	Alan Kinzer	292	7/14/99		Domestic

**Data from:**

- 1) Asarco WDW-129 Permit Renewal Application (Prepared by Terra Dynamics Inc. 2003)
- 2) Water Well Search (Performed by TelAll Corporation, Austin Texas 2004)
- 3) Water Well Search (Performed by D-B Associates, Austin Texas 2005)
- 4) Water Well Search (Performed by Weegar-Eide & Associates, LLC 2015) search of TWDB Interactive Water Data Website <http://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer#> and TCEQ Water Well Report Viewer <https://gisweb.tceq.texas.gov/waterwellpublic/>
- 5) Water Well Search (Performed by Weegar-Eide & Associates, LLC 2019 search of TWDB Interactive Water Data Website: <https://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer> and TCEQ Water Well Report Viewer <https://gisweb.tceq.texas.gov/waterwellpublic/>)
- 6) Annual Injection Zone Reports for 2015, 2016, 2017, 2018, 2019, 202, 2021, & 2022 (Performed by D-B Associates, Austin Texas).
- 7) Water Well Search (Performed by Weegar-Eide & Associates, LLC 2023) search of TWDB Interactive Water Data Website: <https://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer> and TCEQ Water Well Report Viewer <https://gisweb.tceq.texas.gov/waterwellpublic/>

## **ATTACHMENT E**



**ATTACHMENT E**  
**ASARCO LLC**  
**MAJOR AMENDMENT FOR ADDITION OF A COMPLIANCE PLAN**  
**WDW-129 (WDW-324 AND WDW-432)**  
**Plain Language Summary**  
**Items Section I.Q.1 through 9**

In accordance with the requirements in 30 TAC Chapter 39, rule, 30 TAC §39.405(k), this Major Amendment application requires the applicant to provide a plain-language summary in English, and in an alternative language if required in accordance with 30 TAC §39.426.

This application is a Texas Commission of Environmental Quality (TCEQ) requirement for a major amendment to add a Compliance Plan of the Corrective Measures Implementation (CMI) program to the Underground Injection Control (UIC) permit for WDW-129. The CMI is a process of designing, constructing, operating, maintaining, and monitoring the performance of the corrective measure(s) selected for a hazardous waste site. The CMI is approved by the regulator based on the information presented in the Corrective Measures Study (CMS). The applicant/operator is responsible for the performance of CMI while the regulator is responsible for CMI oversight.

The applicant and operator for WDW-129 is ASARCO LLC (ASARCO). WDW-129 is located at the Amarillo Copper Refinery (ACR) facility. The ASARCO ACR is located eight miles northeast of Amarillo, Potter County, Texas, adjacent to the north of State Highway 136 (SH 136), approximately 1.5 miles northeast of the intersection of Loop 335 and SH 136. The existing facility was constructed in 1976 and has the capability to produce refined copper and copper products used by a variety of critical industries.

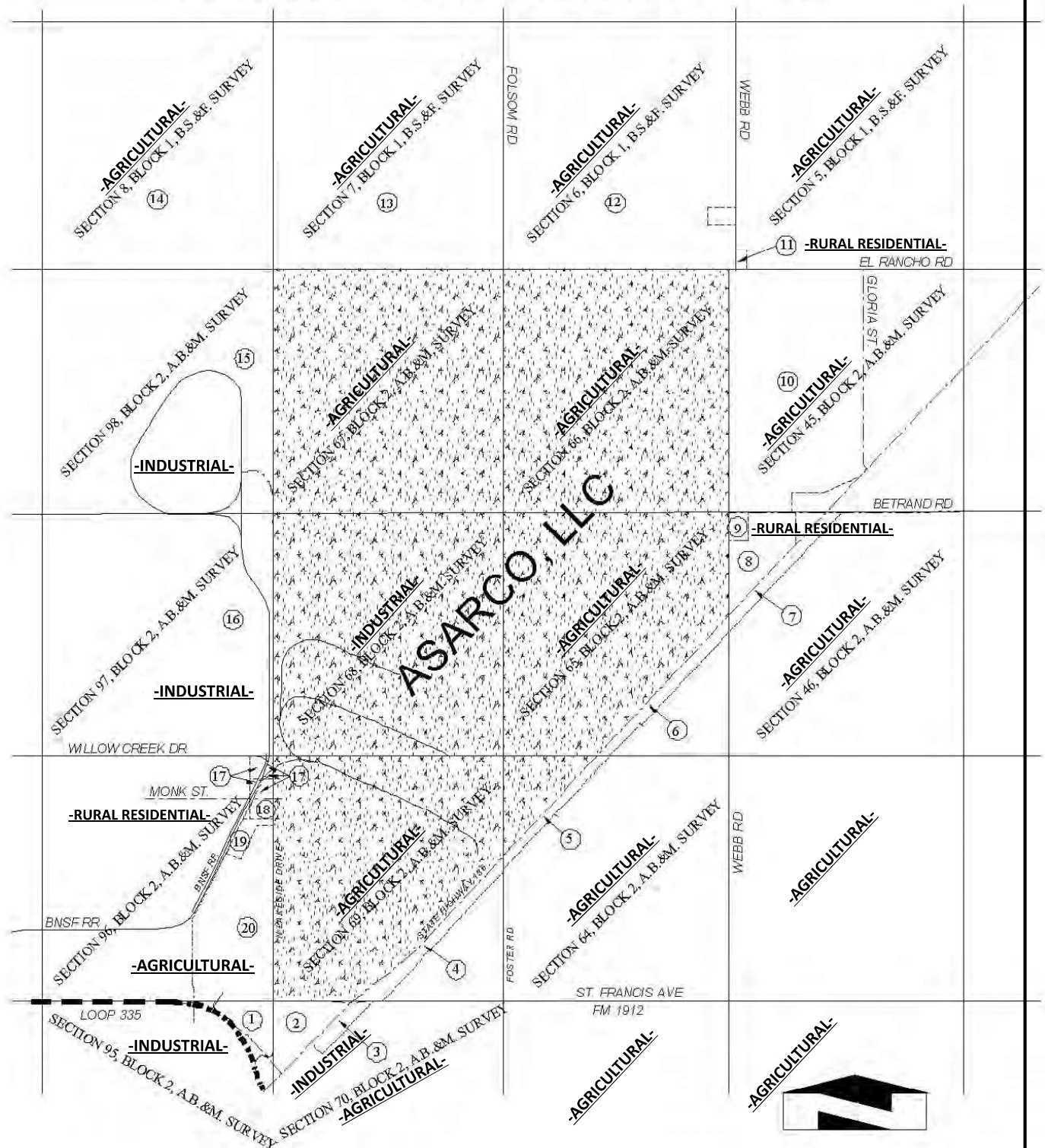
The type of waste at the ASARCO ACR is industrial wastewater from processes associated with copper refining and recovered groundwater. The ACR has the capability to produce millions of tons of refined copper and copper products. Products produced include refined copper cathode, copper rod, and copper cake. Copper cathodes are purchased by customers to manufacture a variety of copper products that support many critical industries. Continuously cast copper rod produced at the Amarillo Copper Refinery is shipped to wire manufacturers throughout North America. Copper cakes are fabricated by ASARCO's customers into plates, sheets, strips, and bars. Byproducts, such as Tankhouse Anode Slimes, are sold for precious metals recovery.

The ASARCO ACR utilizes stringent administrative and engineering controls in the refining process to contain and control any produced wastes. Additionally, the plant is located within a large property that buffers the physical manufacturing facilities and waste storage and disposal facilities from public exposure. All of the ASARCO ACR and associated injection wells are located in an area of industrial and agricultural land use.

## **ATTACHMENT G**

# ASARCO, LLC

## ADJACENT SURFACE OWNERSHIP



**Keyed to Attachment G.1**

Prepared by: **KW Land Specialists, Inc.**  
**Amarillo, Texas**  
**December 19<sup>th</sup>, 2022**

Revised November 27, 2023 by Michael Leonhart,  
 Independent Landman - Amarillo, TX

**FIGURE G.1**

Map Illustrating the Location  
 of Adjacent Landowner Tracts

ASARCO LLC  
 AMARILLO COPPER REFINERY  
 AMARILLO, TEXAS

## Attachment G.1

### Adjacent Property Owners Names and Mailing Addresses

**Map I.D. #: 1**

15.13 acres, more or less, situated NE of Loop 335 in the NE corner of Section 95, Block 2, A.B. & M. Survey, Potter County, Texas

Milligan Plant Property Amarillo, LLC  
9200 Triangle Drive  
Amarillo, TX 79108-7531

Undivided 100.00%  
(Commercial Land – Unimproved)

**Map I.D. #: 2**

29.42 acres, more or less, being that portion of the Northwest corner of Section 70, Block 2, A.B. & M. Survey, Potter County, Texas, lying North of State Highway 136.

Dennis Caldwell  
3 Altamira Street  
Borger, TX 79007-6501

Undivided 100.00%  
(Qualified Open Space Land)

**Map I.D. #: 3**

10.74 acres, more or less, out of the Northwest-quarter (NW/4) of Section 70, Block 2, A.B. & M. Survey, Potter County, Texas, being a strip of land (old CRI&P railroad right-of-way) lying immediately South of and adjacent to the South side of State Highway 136.

Dennis Caldwell  
3 Altamira Street  
Borger, TX 79007-6501

Undivided 100.00%  
(Qualified Open Space Land)

**Map I.D. #: 4**

12.54 acres, more or less, out of the South-half (S/2) and Northeast-quarter (NE/4) of Section 69, Block 2, A.B. & M. Survey, Potter County, Texas, being a strip of land (old CRI&P railroad right-of-way) lying immediately South of and adjacent to the South side of State Highway 136.

Linda Conder  
1323 E. Central Avenue  
Amarillo, TX 79108-4707

Undivided 100.00%  
(Residential Small Tracts - Unimproved)

**Map I.D. #: 5**

11.760 acres, more or less, out of the Northwest-quarter (NW/4) of Section 64, Block 2, A.B. & M. Survey, Potter County, Texas, being a strip of land (old CRI&P railroad right-of-way) lying immediately South of and adjacent to the South side of State Highway 136.

Terry R. Davis & Loretta R. Davila  
1718 Tahoka Road  
Brownfield, TX 79316-4868

Undivided 100.00%  
(Residential Small Tracts - Unimproved)

## Attachment G.1

### Adjacent Property Owners Names and Mailing Addresses

**Map I.D. #: 6**

11.95 acres, more or less, out of the Southeast-quarter of the Southwest-quarter (SE/4SW/4) and Northeast-quarter (NE/4) of Section 65, Block 2, A.B. & M. Survey, Potter County, Texas, being a strip of land (old CRI&P railroad right-of-way) lying immediately South of and adjacent to the South side of State Highway 136.

Juan Velazquez and Linda Vargas  
8020 E. Farmers Ave.  
Amarillo, TX 79118

Undivided 100.00%  
(Residential Small Tracts - Unimproved)

**Map I.D. #: 7**

11.65 acres, more or less, out of the Northwest-quarter (NW/4) of Section 46, Block 2, A.B. & M. Survey, Potter County, Texas, being a strip of land (old CRI&P railroad right-of-way) lying immediately South of and adjacent to the South side of State Highway 136.

Calvin Hornsby  
1014 S. Rusk Street  
Amarillo, TX 79102-1323

Undivided 100.00%  
(Residential Small Tracts - Unimproved)

**Map I.D. #: 8**

39.35 acres, more or less, out of the Northwest-quarter (NW/4) of Section 46, Block 2, A.B. & M. Survey, Potter County, Texas, lying immediately North of and adjacent to the North side of State Highway 136, less a 5.0 acre tract situated in the Northwest corner of said Section 46.

John William Neusch, et al  
5003 Klinke Road  
Amarillo, TX 79108-7906

Undivided 100.00%  
(Qualified Open Space Land)

**Map I.D. #: 9**

5.0 acres (400 ft. X 544.5 ft), more or less, situated in the Northwest corner of Section 46, Block 2, A.B. & M. Survey, Potter County, Texas.

Joses M. Linares  
11300 Bertrand Road  
Amarillo, TX 79108-6005

Undivided 100.00%  
(One Family Residence)

**Map I.D. #: 10**

332.44 acres (irregular shaped tract), more or less, situated in the West  $\frac{3}{4}$ ths of Section 46, Block 2, A.B. & M. Survey, Potter County, Texas, lying North and West of State Highway 136.

Duane Zortman  
1202 Chardonnay Blvd.  
Amarillo, TX 79124-1833

Undivided 100.00%  
(Qualified Open Space)

## Attachment G.1

### Adjacent Property Owners Names and Mailing Addresses

**Map I.D. #: 11**

1.78 acres (420.12 ft. X 184.36 ft), more or less, situated in the Southwest corner of Section 5, Block 1, B.S. & F. Survey, Potter County, Texas.

Carl D. Justice  
11404 El Rancho Road  
Amarillo, TX 79108-6305

Undivided 100.00%  
(Residential Small Tracts - Unimproved)

**Map I.D. #: 12**

All of Section 6, Block 1, B.S. & F. Survey, Potter County, Texas, Less and Except a 5.0 acre tract situate in the Northeast-quarter of the Southeast-quarter of the Southeast-quarter (NE/4SE/4SE/4).

Southwestern Public Service  
c/o Property Tax Department  
PO Box 1979  
Denver, CO 80201-1979

Undivided 100.00%  
(Qualified Open Space)

**Map I.D. #: 13**

All of Section 7, Block 1, B.S. & F. Survey, Potter County, Texas.

Southwestern Public Service  
c/o Property Tax Department  
PO Box 1979  
Denver, CO 80201-1979

Undivided 100.00%  
(Qualified Open Space)

**Map I.D. #: 14**

All of Section 8, Block 1, B.S. & F. Survey, Potter County, Texas.

Miles E. Childers P/A Trust 990378812  
PO Box 460329  
Houston, TX 77056-8329

Undivided 100.00%  
(Qualified Open Space)

**Map I.D. #: 15**

All of Section 98, Block 2, A.B. & M. Survey, Potter County, Texas

Southwestern Public Service  
c/o Property Tax Department  
PO Box 1979  
Denver, CO 80201-1979

Undivided 100.00%  
(Industrial – Electric Company)



## Attachment G.1

### Adjacent Property Owners Names and Mailing Addresses

**Map I.D. #: 16**

All of Section 97, Block 2, A.B. & M. Survey, Potter County, Texas, Less and Except a 0.23 acre homesite situated in the Northeast-quarter of the Southwest-quarter (NE/4SE/4).

Southwestern Public Service  
c/o Property Tax Department  
PO Box 1979  
Denver, CO 80201-1979

Undivided 100.00%  
(Industrial – Electric Company)

**Map I.D. #: 17**

4.66 acres and 4.32 acres out of Ponderosa Park subdivision situated in the Northeast-quarter (NE/4) of Section 96, Block 2, A.B. & M. Survey, Potter County, Texas.

BNSF Railway Company  
c/o Property Tax Department – G3W  
PO Box 961089  
Fort Worth, TX 76161-0089

Undivided 100.00%  
(BNSF RR – Land/Buildings)

**Map I.D. #: 18**

That certain 410 ft by 495 ft (4.20 acre) tract out of the Northeast-quarter (NE/4) of Section 96, Block 2, A.B. & M. Survey, Potter County, Texas, Less and Except the Railroad Right-of-Way, being Tract 19 Ponderosa Park subdivision.

Fidel Burciaga, Jr. and Adrian Arreola  
333 Ford Avenue  
Amarillo, TX 79108

Undivided 100.00%  
(Vacant Land with Mobile Home)

**Map I.D. #: 19**

Lot 1, Block 1, North Lakeside Industrial No. 1 subdivision, being a part of Section 96, Block 2, A.B. & M. Survey, Potter County, Texas

John Kimberling and Patricia Kimberling  
1519 Goldenrod Street  
Amarillo, TX 79107-8007

Undivided 100.00%  
(Commercial Property with  
Improvements)

**Map I.D. #: 20**

148.20 acres, more or less, out of Section 96, Block 2, A.B. & M. Survey, Potter County, Texas, being more particularly described by metes and bounds in that certain Warranty Deed dated December 21st, 2007, and recorded in Volume 3952, Page 243 of the Official Public Records of Potter County, Texas.

Billy R. Hefley  
15725 County Road CC  
Briscoe, TX 79011-3240

Undivided 100.00%  
(Qualified Open Space)

## **Attachment G.1**

### **Adjacent Property Owners Names and Mailing Addresses**

#### **POTTER COUNTY OWNED AND MAINTAINED ROADS and STREETS:**

**Folsom Road  
Webb Road  
El Ranch Road  
Betrand Road  
Foster Road  
Monk Street  
Willow Creek Drive  
North Lakeside Drive**

**Potter County Judge and Commissioners Court  
500 South Fillmore Street  
Amarillo, TX 79101**

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#### **HIGHWAYS:**

**Loop 335  
State Highway 136  
FM 1912/St. Francis Avenue**

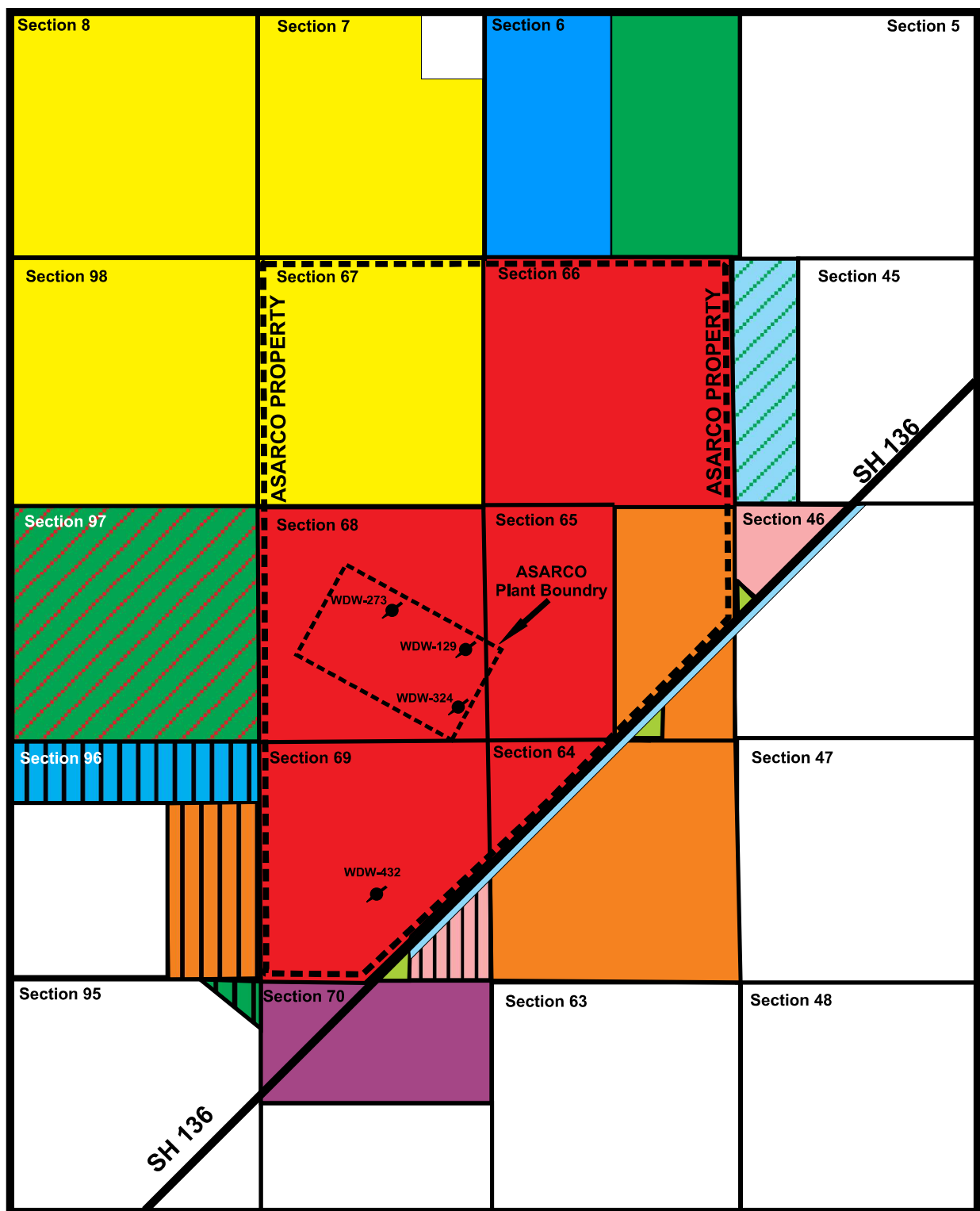
**Texas Department of Transportation  
125 East 11<sup>th</sup> Street  
Austin, TX 78701**

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#### **All Railroad Tracks situated in Section 96, Block 2, A.B. & M. Survey, Potter County, Texas**

**BNSF Railway Company  
c/o Property Tax Department – G3W  
PO Box 961089  
Fort Worth, TX 76161-0089**





**SOURCES;**

1. Map Basis from Research by Choate Company Inc., Midland TX
2. Updated 2019 by Michael Leonhart, Independent Landman, Amarillo TX
3. Updated November 2023 by Michael Leonhart, Independent Landman, Amarillo TX

**Figure G.2  
(Attachment G)**

**Adjacent Mineral Owners Map**



## Attachment G.2 Mineral Owners List (See Figure G.2)

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**Map Color Yellow:** All of Section 7, Block 1, Save & Except the NE/4NE/4, BS&F Survey  
All of Section 8, Block 1, BS&F Survey  
All of Section 67, Block 2, AB&M Survey  
All of Section 98, Block 2, AB&M Survey

### Name and Address

Betty Claire Childers Burney  
P. O. Box 708  
Amarillo, Texas 79105

Miles Bivins Childers  
P. O. Box 708  
Amarillo, Texas 79105

Ulrike Bivins  
P. O. Box 708  
Amarillo, Texas 79105

Michele Bivins  
P. O. Box 708  
Amarillo, Texas 79105

The Estate of Elizabeth C. Bivins Childers  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for  
The Miles Bivins Childers Trust, created  
Under the Will of Elizabeth Claire  
Bivins Childers  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for  
The Miles Bivins Childers Trust, created  
By Myda Truscott Bivins,  
Dated March 31, 1952  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for  
The Miles Bivins Childers Trust and for  
The Betty Claire Childers Trust, Both  
Created by Special Power of  
Appointment Under The Will of  
Miles G. Bivins  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for  
The Betty Claire Childers Burney Trust,  
Created under the Will of Elizabeth  
Claire Bivins Childers  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for  
The Betty Claire Childers Burney Trust,  
Created by Myda Truscott Bivins,  
Dated March 31, 1952  
P. O. Box 708  
Amarillo, Texas 79105

Joseph Ernest Batson, Jr. as  
Trustee of the Joseph Ernest Batson, Jr.  
2016 Trust  
P. O. Box 2861  
Amarillo, Texas 79105

Oliver Bivins and Lorna Bivins,  
Co-Trustees of the Oliver and  
Lorna Bivins Revocable Trust  
C/o Louis Dibiasse  
Herring Bank  
2201 Civic Circle, Suite 403  
Amarillo, Texas 79109-1842

Herring Bank, Trustee for the  
Oliver Bivins Management Trust  
2201 Civic Circle, Suite 403  
Amarillo, Texas 79109-1842

Julian Lee Bivins II  
13554 Columbine Drive  
Scottsdale, Arizona 85259

Black Stone Natural Resources IV-B, L.P.

1001 Fannin Street, Suite 2020  
Houston, Texas 77002-6705

Mark Ernest Bivins  
3007 South Lipscomb Street  
Amarillo, Texas 79109

Bank of America, N.A., Trustee for  
The Miles T. Bivins Trust, The  
Thomas Peyton Bivins Trust and  
The Mark Ernest Bivins Trust,  
All created by special power of  
Appointment u/w/o Miles G. Bivins  
P. O. Box 708  
Amarillo, Texas 79105

Bank of America, N.A., Trustee u/w/o  
Lee T. Bivins, for the Lee Bivins II  
Trust, for The Miles Teel Bivins Trust,  
The Thomas Peyton Bivins Trust, and  
The Mark Ernest Bivins Trust  
P. O. Box 708  
Amarillo, Texas 79105

Amarillo National Bank,  
Trustee for The Miles Teel Bivins Trust,  
The Thomas Peyton Bivins Trust and  
The Mark Ernest Bivins Trust, all  
Created by Myda Truscott Bivins,  
Dated March 31, 1952  
P. O. Box 1  
Amarillo, Texas 79105

Bank of America, N.A., Trustee for the  
Tuw Andrew Bivins Appt. Trust,  
For the Tuw Katherine Bivins Appt.  
Trust, For the Tuw William Bivins  
Appt. Trust, For the Tuw Carolyn  
Bivins Appt. Trust, For the Tuw  
Tom Bivins Appt. Trust and For the  
Tuw Mark Bivins Appt. Trust,  
All created by special power of  
Appointment under the Will of  
Betty Teel Bivins  
P. O. Box 708  
Amarillo, Texas 79105

Joseph E. Batson, Jr., Mark E. Bivins  
And Richard Ware II, as Trustees of  
The Mary E. Bivins Trust  
18 Citadel Drive  
Amarillo, Texas 79124

Coldwater Cattle I, Ltd.  
18 Citadel Drive  
Amarillo, Texas 79124

U.S. Bank, N.A., Trustee  
4801 Frederica Street  
Owensboro, Kentucky 42304

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<b>Map Color Red:</b>	<b><u>NW 55.26 acres of Section 64, Block 2, AB&amp;M Survey</u></b> <b><u>W/2 of Section 65, Block 2, AB&amp;M S</u></b> <b><u>All of Section 66, Block 2, AB&amp;M Survey</u></b> <b><u>All of Section 68, Block 2, AB&amp;M Survey</u></b> <b><u>North and West 536.393 acres of Section 69, Block 2, AB&amp;M</u></b> <b><u>Survey</u></b>
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**Name and Address**

ASARCO, LLC  
5285 E. Williams Circle, Suite 2000  
Tucson, Arizona 85711-7711

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**Map Color Orange:** South and East 562.8 acres out of Section 64, Block 2, AB&M Survey  
E/2 Save & Except 18.5186 acres out of Section 65, Block 2, AB&M Survey

**Name and Address:**

Bonny Jean Stalnaker Roth  
422 Greenwood St.  
Evanston, Illinois 60201-4718

Sally Ann Stalnaker  
11301 SE 10<sup>th</sup> St., Apt. 193  
Vancouver, Washington 98664-6134

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**Map Color Light Blue:** 4 acre tract out of SE/4 of Section 69, Block 2, AB&M Survey  
12.03 acre tract out of SE/4 of Section 65, Block 2, AB&M Survey  
11.65 acre tract out of NW/4 of Section 46, Block 2, AB&M Survey

**Name and Address**

Panhandle Oil and Gas, Inc.  
Grand Centre Bldg.  
5400 N. Grand Blvd., Suite 300  
Oklahoma City, Oklahoma 73112

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**Map Color Light Green:** 6.4886 acre tract out of SE/4 of Section 65, Block 2, AB&M Survey  
4 acre tract out of SE/4 of Section 69, Block 2, AB&M Survey  
5.79 acre tract out of NW/4 of Section 46, Block 2, AB&M Survey

**Name and Address**

Potter County, Texas  
500 S. Fillmore  
Amarillo, Texas 79101

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**Map Color Pink**

**with Black Vertical: 85.779 acre tract out of SE/4 of Section 69, Block 2, AB&M**  
**Stripes Survey**

**Name and Address**

Steven Joye Hipes  
Office of Brosier & Buchanen, CPA  
Attn: Scott Brosier  
P. O. Box 9398  
Amarillo, Texas 79105

Paul Gregory Hipes  
600 Franklin Avenue  
River Forest, Illinois 60305-1722

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**Map Color Blue:**

**W/2 of Section 6, Block 1, BS&F Survey**

**Name and Address**

Donald J. Wright  
Address Unknown

Dorothy Draper  
P. O. Box 691  
Tahoka, Texas 79373

Southwest Public Service Company  
P. O. Box 1261  
Amarillo, Texas 79170

Miles Neil Mitchell  
2800 Wade Blvd.  
Clovis, New Mexico 88101

Southwest Petroleum Company, L.P.  
P. O. Box 702377  
Dallas, Texas 75370-2377

Donna F. Mitchell  
Rt. 1, Box 20  
Melrose, New Mexico 88124-9802

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**Map Color Green:**

**E/2 of Section 6, Block 1, BS&F Survey**

**Name and Address**

Estate of Odelia Detten  
1900 E. California St.  
Gainesville, Texas 76240-4400

Melba L. Detten (Deceased)  
c/o Larry Haseloff (Son)  
611 Horseshoe Bend  
Royse City, Texas 75189

Marilyn C. Farrar  
5617 Lawnsberry Drive  
Ft. Worth, Texas 76137

Southwest Petroleum Company, L.P.  
P. O. Box 702377  
Dallas, Texas 75370-2377

Charles Abercrombie (Deceased)  
c/o  
Mary Abercrombie (Widow)  
c/o Gary Abercrombie, DDS (Son)  
504 Mesa Drive  
Plainview, Texas 79072  
and  
Carolyn S. Rollins (Daughter)  
3918 Kileen Drive  
Amarillo, Texas 79109  
and  
Jana Carver (Daughter)  
605 S. Mississippi St.  
Amarillo, Texas

Southwestern Public Service Company  
P. O. Box 1261  
Amarillo, Texas 79170



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**Map Color Light Blue**  
**With Green Diagonal Stripes**

**W2W2 of Section 45, Block 2, AB&M Survey**

**Name and Address**

Duane Zortman  
1202 Chardonnay Blvd.  
Amarillo, Texas 79124-1833

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**Map Color Pink:**

**NW Corner of Section 46, Block 2, AB&M Survey**

**Name and Address**

Peyton Living Trust  
c/o Myrtle Peyton  
11300 Bertrand Road  
Amarillo, Texas 79108-6005

Arnold J. Neusch (Deceased)  
c/o John W. Neusch (Son)  
5003 Klinke Road  
Amarillo, Texas 79108

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**Map Color Purple:**

**N/2 of Section 70, Block 2, AB&M Survey**

**Name and Address**

Dennis Caldwell  
3 Altamira Street  
Borger, Texas 79007-6501

The Joan M. Johnson Revocable Living Trust  
Ray Charles Johnson, III, Trustee  
2834 S. Bowie Street  
Amarillo, Texas 79109

Shane Samama  
c/o Marc Samama  
12832 Greene Ave.

Los Angeles, California 90066-6410

Marc Samama  
12832 Greene Ave.  
Los Angeles, California 90066-6410

Susan Lee Samama  
1115 Charm Acres Place  
Pacific Palisades, California 90272

Marsha Louise Beaudoin  
P. O. Box 1694  
Bisbee, Arizona 85603-2694

Richard M. Mayer, Jr.  
9001 Memphis Drive  
Lubbock, Texas 79423

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**Map Color Orange**  
**with**  
**Black Vertical Stripes:**

**East 162.554 acres out of the S/480 acres of Section 96,**  
**Block 2, AB&M Survey**

**Name and Address**

Joe Price Moore  
532 Cedar Ridge Dr.  
Red Oak, Texas 75154

Lola L. Swafford, Independent  
Administrator of the Estate of  
Laney Combest Moore  
6601 Worley  
Amarillo, Texas 79108

Lola L. Swafford  
6601 Worley  
Amarillo, Texas 79108

Steven R. Harp  
532 Cedar Ridge Dr.  
Red Oak, Texas 75154

Karolina Theresia Duniven  
16 Saint Andrews Dr.  
Amarillo, Texas 79124-7812

B. Mills Latham  
219 E. Houston Street, #400  
San Antonio, Texas 78205

Latham & Company  
2025 S. Hughes  
Amarillo, Texas 79109

Maelyn Latham Hinton  
6409 Long Meadow Drive  
Corpus Christi, Texas 78413

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**Map Color Blue**  
**with**  
**Black Vertical Stripes:**

**North 160 acres of Section 96, Block 2, AB&M Survey**

**Name and Address**

M. H. Hays  
2819 S. Bonham Street  
Amarillo, Texas 79109

Frank and Mary Sharman  
3525 Sleepy Hollow Blvd.  
Amarillo, Texas 79121

Mary Rapstine Haynes,  
Trustee of the Mary R. Haynes  
2009 Living Trust dated  
September 24, 2009  
704 Lakeshore Drive  
El Paso, Texas 79932

Inge Rapstine O'Brien  
6416 Hurst Street  
Amarillo, Texas 79109

Catherine Rapstine Dunn  
1121 Alta Vista Street  
Amarillo, Texas 79106

Breanne Rapstine Coffin  
P. O. Box 4129  
Amarillo, Texas 79116-4129

Gretta Rapstine Crofford  
1017 W. 10<sup>th</sup> Street  
Amarillo, Texas 79101

Frank R. Rapstine  
PO BOX 66362  
Albuquerque, New Mexico 87193

C. E. Pavillard  
(no known address)

Mildred Pavillard Vail  
(no known address)

The Estate of Patricia Pavillard  
(no known address)

Betty L. Martin (Deceased)  
c/o Scott Martin (Son)  
116 Southeast Trail  
Spicewood, Texas 78669  
and  
Blake Martin (Son)  
1201 High Mesa Road  
Alto, New Mexico 88312

Margaret G. Johnson (Deceased)  
c/o Betty E. Glover (Neice)  
9508 Parsifal Place N.E.  
Albuquerque, New Mexico 87111

Noel Dean Reitman  
773 Paseo Cresta  
Santa Fe, New Mexico 87501

Alice Jane Rietman Hadwin  
c/o Noel Dean Reitman  
773 Paseo Cresta  
Santa Fe, New Mexico 87501

Sarah E. Rietman Stanley  
c/o Noel Dean Reitman  
773 Paseo Cresta  
Santa Fe, New Mexico

The Estate of Dean Bob Pavillard  
(no known address)

Dr. Gordon Scott (Deceased)  
c/o Tom Scott (Son)  
9600 Arvilla Avenue N.E.  
Albuquerque, New Mexico 87111  
and  
Betty Glover (Daughter)  
9508 Parsifal Place N.E.  
Albuquerque, New Mexico 87111

Pauline D. Gephart  
5520 Erik Ave.  
Amarillo, Texas 79106

Joe Swann (Deceased)  
c/o Jeffrey Alan Swann (Son)  
17801 S. US Highway 287  
Amarillo, Texas 79118-6801  
And  
Lisa Jo Parkhurst (Daughter)  
1621 Silverstone Drive  
Weatherford, Texas 79087

Mrs. W. N. Griggs  
401 SW 12<sup>th</sup> Ave., Apt. 206  
Amarillo, Texas 79101

The Estate of Charles Dammier  
(no known address)

Mrs. John E. Johnson  
(no known address)

Mrs. Paul King  
3531 W. Point Drive  
Amarillo, Texas 79121

Mrs. G. N. Barker  
(no known address)

Mrs. D. C. Lewis  
(no known address)

Dorothy Combee (Deceased)  
c/o Betty Glover (Neice)  
9508 Parsifal Place N.E.  
Albuquerque, New Mexico 87111

Masterson & Stinnett  
Minerals (PM), LLLP  
P. O. Box 1467  
Amarillo, Texas 79105

Shelley Barron  
30 Colonial Drive  
Amarillo, Texas 79124-7845

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**Map Color Green**  
**with**  
**Red Diagonal Stripes:**

**All of Section 97, Block 2, AB&M Survey**

**Name and Address**

Southwestern Public Service Co.  
P. O. Box 1261  
Amarillo, Texas 79170

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**Map Color Green**  
**With**  
**Black Vertical Stripes:**

**15.13 acre tract out of the NE/4 of Section 95, Block 2,**  
**AB&M Survey**

**Name and Address**

Milligan Plant Property Amarillo, LLC,  
a Texas limited liability company  
9200 Triangle Drive  
Amarillo, Texas 79108-7531

The Joan M. Johnson Revocable Living Trust  
Ray Charles Johnson, III, Trustee  
2834 S. Bowie Street  
Amarillo, Texas 79109