TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk

Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader

Water Rights Permitting Team

FROM: Natalia Ponebshek, Project Manager

Water Rights Permitting Team

DATE: September 17, 2025

SUBJECT: College Station Town Center, Inc.

WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published

Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

The application was received on February 14, 2024 and partial fees were received on March 13, 2024. Additional information was received on May 22, 2025 and August 20, 2025, and additional fees were received on June 3, 2025. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 17, 2025. Published and mailed notice to the water right holders of record in the Brazos River Basin is required pursuant to Title 30 Texas Administrative Code (TAC) §§ 295.152(a) and 295.153(b). Notice to the Brazos Valley Conservation District is required pursuant to Title 30 TAC § 295.153(b)(3). Notice to the Texas Parks and Wildlife Department and the Public Interest Counsel is required pursuant to Title 30 TAC § 295.161(b)-(c).

All fees have been paid and the application is sufficient for filing.

Natalia Ponebshek, Project Manager

Water Rights Permitting Team

Water Rights Permitting and Availability Section

OCC Mailed Notice Required NYES □NO

Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 17, 2025

Mr. Andy Boswell, Principal Compass Environmental Solutions, LLC 1625 Cottonwood School Road Rosenberg, TX 77471-8200 **VIA E-MAIL**

RE: College Station Town Center, Inc.

WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

Dear Mr. Boswell:

This acknowledges receipt, on August 20, 2025, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on September 17, 2025. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning the application, please contact me via email at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek, Project Manager Water Rights Permitting Team

Water Rights Permitting and Availability Section

Natalia Ponebshek

From: Andy Boswell < > Sent: Wednesday, August 20, 2025 5:11 PM

To: Natalia Ponebshek

Cc: Chris Kozlowski; Humberto Galvan; James Murr

Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI 2

Natalia,

Is this sufficient?

Thank you,

Andy Boswell Principal - Senior Scientist Compass Environmental Solutions, LLC 979-219-2839

Please excuse minor typographical errors as this was sent from my iPhone.

On Aug 20, 2025, at 4:36 PM, James Murr

wrote:

Sure, the company agreement is attached.

James Murr

Impact Companies
Builders Development LLC

979.985.5610

4121 State Hwy 6 S., Ste. 200, College Station, TX 77845 Licensed Real Estate Broker & Loan Officer NMLS#1975493

<image001.png>

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From: Andy Boswell

Sent: Wednesday, August 20, 2025 3:45 PM

To: James Murr

Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Natalia Ponebshek <natalia.ponebshek@tceq.texas.gov> **Subject:** Re: College Station Town Center, Inc. WRPERM No. 13962 RFI 2

James,

Do you have documentation that states you are a legal representative for College Station Town Center, LLC as per the attached document requests?

Specifically,

"If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of by-laws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign."

Andy Boswell Principal/Sr. Scientist



1625 Cottonwood School Road

Rosenberg, Texas 77471 Office (main): (832) 595-9064

Office (direct): (832) 612-2890

Cell: (979) 219-2839

On Wed, Aug 20, 2025 at 3:39 PM Natalia Ponebshek Natalia.Ponebshek@tceq.texas.gov wrote:

Good afternoon,

Please find the attached request for information for the abovementioned application. A response is due by September 19, 2025. Please let me know if you have any questions regarding this request.

Thank you,

Natalia Ponebshek, Project Manager Water Rights Permitting Team Water Rights Permitting and Availability Section (512) 239-4641

<Plan of Conversion with Exhibits - College Stations Town Center, L.P. (C1681760).PDF>

PLAN OF CONVERSION

Pursuant to the provisions of Section 10.101 of the Texas Business Organizations Code, the undersigned Texas limited partnership adopts this plan of conversion for the purpose of converting to a Texas corporation.

- 1. The name of the converting entity is College Station Town Center, L.P., a Texas limited partnership (the "Converting Entity"). The name of the converted entity is College Station Town Center, Inc., a Texas corporation (the "Converted Entity").
- 2. The Converting Entity will continue its existence in the organizational form of the Converted Entity.
- 3. The Converted Entity is to be a corporation organized under the laws of the State of Texas.
- 4. Prior to the conversion being effective, the partnership interests of the Converting Entity are owned as follows:

| <u>Partner</u> | Percentage | Type of Partner | |
|------------------|------------|-----------------|--|
| CS District, LLC | 1% | General | |
| James G. Murr | 32-1/3% | Limited | |
| John Durham | 66-2/3% | Limited | |

Upon the conversion being effective, (i) each 1% partnership interest of the Converting Entity will be converted into 15 shares of common stock in the Converted Entity, and (ii) CS District, LLC will be deemed to have distributed to its sole member, James Glenn Murr, the share of stock of the Converted Entity received by it in the conversion, with the shares in the Converted Entity to be owned and held as follows:

| Member | Shares | | |
|---------------|--------|--|--|
| James G. Murr | 500 | | |
| John Durham | 1,000 | | |

5. Upon the conversion being effective, the officers of the Converted Entity shall be as follows:

| James G. Murr | President |
|---------------|----------------------------|
| John Durham | Vice President & Secretary |

6. Attached as <u>Exhibit A</u> to this Plan of Conversion is the Certificate of Formation of the Converted Entity. Attached as <u>Exhibit B</u> to this Plan of Conversion are the Bylaws of the Converted Entity.

7. The conversion will be effective when the Certificate of Conversion is accepted and filed by the Secretary of State of Texas.

Dated as of / trays + 30, 2017.

COLLEGE STATION TOWN CENTER, L.P.

By: CS District, LLC, its general partner

James G. Murr, Manager

EXHIBIT A

[See Attached]

PAGE 05/07
FILED
In the Office of the Secretary of State of Texas
SEP 0.8 2017

CERTIFICATE OF FORMATION OF COLLEGE STATION TOWN CENTER, INC.

Corporations Section

Article I -- Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is: College Station Town Center, Inc.

Article II - Registered Agent and Registered Office

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

James G. Murr

The business address of the registered agent and the registered office address are:

4121 SH-6 S, Suite 200 College Station, Texas 77845

Article III - Directors

The number of directors constituting the initial board of directors shall be two (2) and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1

James G. Murr 4121 SH-6 S, Suite 200 College Station, Texas 77845

Director 2

John D. Durham 921 N. Chaparral #103 Corpus Christi, Texas 78401

Article IV - Authorized Shares

The total number of shares the corporation is authorized to issue is: 100,000. Each share shall have a par value of \$1.00.

Article V - Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Article VI - Consent of Shareholders in Lieu of Meeting

Any action required by the Texas Business Organizations Code to be taken at any annual or special meeting of shareholders, or any action which may be taken at any annual or special meeting of shareholders, may be taken without a meeting, without prior notice, and without a vote, if a consent or consents in writing, setting forth the action so taken, shall be signed by the holder or holders of shares having not less than the minimum number of votes that would be necessary to take such action at a meeting at which the holders of all shares entitled to vote on the action were present and voted. Prompt notice of the taking of any such action shall be given to those shareholders who did not consent in writing to the action.

Article VII - Organizer

The name and address of the organizer:

Karissa Gonzalez
711 W. Navarro Street, Suite 500
San Antonio, Texas 78205

Article VIII - Effectiveness of Filing

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

Article IX - Conversion

The converted entity is being created pursuant to a plan of conversion. It was originally a Texas limited partnership, and its name was College Station Town Center, L.P. It was formed on June 16, 2015, under Filing Number 802236043. The converted entity's address is 4121 SH-6 S, Suite 200, College Station, Texas 77845.

Article X - Amendment to Bylaws

The power to amend or repeal bylaws or adopt new bylaws is wholly reserved exclusively to the corporation's shareholders.

Article XI - Fundamental Actions

The vote required for the shareholders to approve a fundamental action or a fundamental business transaction is the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the fundamental action or fundamental business transaction. "Fundamental action" shall have the meaning set forth in Section 21.364 of the Texas Business

Organizations Code. "Fundamental business transaction" shall have the meaning set forth in Section 21.457 of the Texas Business Organizations Code.

Article XII - Limitation of Liability

NO DIRECTOR OF THE CORPORATION SHALL BE LIABLE TO THE CORPORATION OR ITS SHAREHOLDERS FOR MONETARY DAMAGES FOR AN ACT OR OMISSION IN THE DIRECTOR'S CAPACITY AS A DIRECTOR, EXCEPT THAT THIS ARTICLE DOES NOT ELIMINATE OR LIMIT THE LIABILITY OF A DIRECTOR FOR (I) A BREACH OF A DIRECTOR'S DUTY OF LOYALTY TO THE CORPORATION OR ITS SHAREHOLDERS; (II) AN ACT OR OMISSION NOT IN GOOD FAITH THAT INVOLVES A BREACH OF DUTY OF THE DIRECTOR TO THE CORPORATION OR AN ACT OR OMISSION THAT INVOLVES INTENTIONAL MISCONDUCT OR A KNOWING VIOLATION OF THE LAW; (III) A TRANSACTION FROM WHICH A DIRECTOR RECEIVED AN IMPROPER BENEFIT, WHETHER OR NOT THE BENEFIT RESULTED FROM AN ACTION TAKEN WITHIN THE SCOPE OF THE DIRECTOR'S DUTIES; OR (IV) AN ACT OR OMISSION FOR WHICH THE LIABILITY OF A DIRECTOR IS EXPRESSLY PROVIDED FOR BY AN APPLICABLE STATUTE. IF THE TEXAS BUSINESS ORGANIZATIONS CODE OR ANY OTHER STATUTE IS AMENDED SUBSEQUENTLY TO THE EFFECTIVE DATE OF THIS ARTICLE TO AUTHORIZE CORPORATE ACTION FURTHER ELIMINATING OR LIMITING THE PERSONAL LIABILITY OF DIRECTORS, THEN THE LIABILITY OF A DIRECTOR OF THE CORPORATION SHALL BE ELIMINATED OR LIMITED TO THE FULL EXTENT PERMITTED BY SUCH STATUTE, AS SO AMENDED.

ANY REPEAL OR MODIFICATION OF THE FOREGOING PARAGRAPH BY THE SHAREHOLDERS OF THE CORPORATION SHALL NOT ADVERSELY AFFECT ANY RIGHT OR PROTECTION OF A DIRECTOR OF THE CORPORATION EXISTING AT THE TIME OF SUCH REPEAL OR MODIFICATION.

Execution

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

Date: September 8, 2017.

y:

Kanssa Gonzalez, Organizer

EXHIBIT B

[See Attached]

COLLEGE STATION TOWN CENTER, INC.

BYLAWS

ARTICLE I

OFFICES

The corporation may have offices at such places both within and without the State of Texas as the Board of Directors may from time to time determine.

ARTICLE II

SHAREHOLDERS

- 2.1 <u>Location of Meetings</u>. Meetings of shareholders for any purpose may be held at such time and place within or without the State of Texas as shall be stated in the notice of the meeting or in a duly executed waiver of notice thereof. The Board of Directors may determine that any meeting may be held solely by remote communication in accordance with Texas law. If no designation is made, the place of meeting shall be the principal office of the corporation in the State of Texas.
- 2.2 <u>Annual Meeting</u>. Annual meetings of shareholders, commencing with the year 2018, shall be held on a date and time designated by the Board of Directors, at which meeting they shall elect a Board of Directors and transact such other business as may properly be brought before the meeting.
- 2.3 <u>Special Meeting</u>. Special meetings of the shareholders for any purpose or purposes may be called by the president and shall be called by the president or secretary at the request in writing of a majority of the Board of Directors, or at the request in writing of

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shareholders owning one-tenth of all the shares entitled to vote on any issue at a meeting. A request for a special meeting shall state the purpose or purposes of the proposed meeting, and business transacted at any special meeting of shareholders shall be limited to the purposes stated in the notice.

- 2.4 <u>Notice</u>. Written or printed notice stating the place, day and hour of any meeting of the shareholders, the means of any remote communications by which shareholders may be considered present and may vote at the meeting, and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 60 days before the date of the meeting, either personally, by electronic transmission or by mail, by or at the direction of the president, the secretary or other persons calling the meeting, to each shareholder of record entitled to vote at such meeting.
- 2.5 <u>Closing of Transfer Books</u>. For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders, or any adjournment thereof, or entitled to receive payment of any distribution or share dividend, or in order to make a determination of shareholders for any other proper purpose, the Board of Directors may provide that the stock transfer books shall be closed for a stated period but not to exceed, in any case, 60 days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholders, such books shall be closed for at least 10 days immediately preceding such meeting.
- 2.6 <u>Record Date</u>. In lieu of closing the stock transfer books, the Board of Directors may fix in advance a date as the record date for any such determination of shareholders, such

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date in any case to be not more than 60 days, and, in case of a meeting of shareholders, not less than 10 days prior to the date on which the particular action requiring such determination of the shareholders is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, or shareholders entitled to receive payment of a distribution or share dividend, the record date for such determination of shareholders so entitled shall be the close of business on:

- (a) with respect to an annual shareholder meeting or any special shareholder meeting not demanded by the shareholders, the day before the day the first notice is delivered to shareholders:
- (b) with respect to a special shareholders' meeting demanded by the shareholders, the date the first shareholder signs the demand;
- (c) with respect to the payment of a share dividend or distribution to shareholders, the date the Board of Directors authorizes the share dividend or distribution to shareholders; and
- (d) with respect to actions taken in writing without a meeting, the date the first shareholder signs a consent.

When a determination of shareholders entitled to vote at any meeting of shareholders has been made as provided in this section, such determination shall apply to any adjournment thereof unless the Board of Directors fixes a new record date, which it must do if the meeting is adjourned to a date more than 120 days after the date fixed for the original meeting.

2.7 <u>Registered Shareholders</u>. The corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive distributions and share dividends, and to vote as such owner, and shall not be bound to recognize any equitable or other claim to or interest in such share or shares on the part of any other person,

whether or not it shall have express or other notice thereof, except as otherwise provided by Texas law.

- 2.8 List of Shareholders. At least 10 days before each meeting of shareholders, the officer or agent having charge of the transfer books for shares shall make a complete list of the shareholders entitled to vote at such meeting, arranged in alphabetical order, with the address of each and the number of shares held by each. The list must be arranged by voting group, if any, and within each voting group by class or series of shares. The list shall be kept on file at the registered office of the corporation for a period of 10 days prior to such meeting, and shall be available for inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be available for inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof, shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote at any meeting of the shareholders. A shareholder (or his agent or attorney) is entitled on written demand to inspect and to copy the list during regular business hours and at his or her expense, during the period it is available for inspection. The corporation shall maintain the shareholder list in written form.
- 2.9 Quorum. If the Certificate of Formation or the Texas Business Organizations Code, as the same may be amended from time to time (the "TBOC"), provides for voting by a single voting group on a matter, action on that matter is taken only when voted upon by that voting group. Shares entitled to vote as a separate voting group may take action on a matter at a meeting only if a quorum of those shares exists. The holders of a majority of the shares issued

and outstanding and entitled to vote on a matter by a voting group, present in person or represented by proxy, shall constitute a quorum of that voting group for action on that matter, except as otherwise provided by law or by the Certificate of Formation. If the Certificate of Formation or the TBOC provides for voting by two or more voting groups on a matter, action on that matter is taken only when voted upon by each of those voting groups counted separately. Action may be taken by one voting group on a matter even though no action is taken by another voting group entitled to vote on a matter. Once a share is represented for any purpose at a meeting, it is deemed present for quorum purposes for the remainder of the meeting and for any adjournment of that meeting unless a new record date is or must be set for the adjourned meeting. If, however, a quorum of any voting group shall not be present or represented at any meeting of the shareholders, the shareholders within such voting group entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum of such voting group shall be present or represented. At the reconvening of such adjourned meeting, provided a quorum shall be present or represented thereat, any business may be transacted which might have been transacted if the meeting had been held in accordance with the original notice thereof.

2.10 <u>Majority Vote</u>. If a quorum is present at any meeting, the vote of the holders of a majority of the shares entitled to vote in each voting group entitled to vote on a matter, whether present in person or represented by proxy, shall decide any matter brought before such meeting unless the question is one upon which a different vote is required by law or by the Certificate of Formation or by Section 3.2 hereof.

- 2.11 <u>Voting Rights</u>. Each outstanding share having voting power shall be entitled to one vote on each matter submitted to a vote at a meeting of shareholders. A shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney-in-fact.
- 2.12 Written Consent. Any action required by the TBOC or which may be taken at a meeting of the shareholders may be taken without a meeting if one or more consents in writing, setting forth the action so taken, shall be signed by the holders of shares having not less than the minimum number of votes that would be necessary to take such action at a meeting at which the holders of all shares entitled to vote on the action were present and voted. Prompt notice of the taking of any such action shall be given to those shareholder who did not consent in writing to the action.
- 2.13 <u>Adjourned Meeting</u>. If any shareholder meeting is adjourned to a different time, place or date, notice need not be given of such change if the change is announced at the meeting before adjournment. But, if a new record date for the adjourned meeting is or must be fixed, then notice must be given to those persons who are shareholders as of the new record date.
- 2.14 <u>Corporation's Acceptance of Votes</u>. If the name signed on a vote, consent, waiver, or proxy appointment corresponds to the name of a shareholder, the corporation if acting in good faith is entitled to accept the vote, consent, waiver or proxy appointment and give it effect as the act of the shareholder if:
 - (a) the shareholder is not a natural person and the name signed purports to be that of an officer or agent of the shareholder;

- (b) the name signed purports to be that of an administrator, executor, guardian, or conservator representing the shareholder and, if the corporation requests, evidence of fiduciary status acceptable to the corporation has been presented with respect to the vote, consent, waiver or proxy appointment;
- (c) the name signed purports to be that of a receiver or trustee in bankruptcy of the shareholder and, if the corporation requests, evidence acceptable to the corporation has been presented with respect to the vote, consent, waiver or proxy appointment;
- (d) the name signed purports to be that of a pledgee, beneficial owner, or attorney-in-fact of the shareholder, and, if the corporation requests, evidence acceptable to the corporation of the signatory's authority to sign for the share-holder has been presented with respect to the vote, consent, waiver, or proxy appointment;
- (e) two or more persons are the shareholder as co-tenants or fiduciaries and the name signed purports to be the name of at least one of the co-owners and the person signing appears to be acting on behalf of all the co-owners.

The corporation is entitled to reject a vote, consent, waiver or proxy appointment if the secretary or other officer or agent of the corporation authorized to tabulate votes, acting in good faith, has reasonable basis for doubt about the validity of the signature on it or about the signatory's authority to sign for the shareholder.

ARTICLE III

DIRECTORS

3.1 Number and Term. The number of directors which shall constitute the whole board shall be at least one, but not more than three. A director need not be a resident of the State of Texas or a shareholder of the corporation. The directors shall be elected at the annual meeting of the shareholders, and each director elected shall serve until the next annual meeting or his earlier death, resignation or removal. However, if the term of a director expires he shall continue to serve until his successor is elected and qualified or until there is a decrease in the number of directors.

- 3.2 <u>Election</u>. In any election of directors (including an election to fill a vacancy in a director position), nominations will be taken. Each shareholder who is entitled to vote may allocate his or her votes among the nominees in any way the shareholder chooses. After all votes are tallied, the nominees will be ranked according to the number of votes each received. Each nominee, in order of the highest number of votes received, will be deemed elected to each open director position until all open director positions have been filled. A director may resign at any time.
- 3.3 <u>Vacancy</u>. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office. However, if his term expires, he shall continue to serve until his successor is elected and qualified or until there is a decrease in the number of directors.
- 3.4 <u>Change of Number</u>. The number of directors may be increased or decreased from time to time by amendment to these bylaws, but no decrease shall have the effect of shortening the term of any incumbent director. Any directorship to be filled by reason of an increase in the number of directors shall be filled by election at an annual or special meeting of shareholders, or by any other procedure for filling a directorship created by reason of an increase in the number of directors as may be provided for in the TBOC.
- 3.5 <u>Removal</u>. One or more directors may be removed either for or without cause at any special meeting of shareholders duly called and held for such purpose. If a director is elected by a voting group of shareholders, only shareholders of that voting group may remove him. A director may only be removed by vote of a majority of the votes cast.

- 3.6 <u>Place of Meetings</u>. Meetings of the Board of Directors, regular or special, may be held either within or without the State of Texas. Any and all directors may participate in a meeting by, or conduct the meeting through use of, any means of communication by which all persons participating may simultaneously hear each other. A director participating at a meeting by this means is deemed to be present in person at the meeting.
- 3.7 <u>First Meetings</u>. The first meeting of each newly elected Board of Directors shall be held without notice immediately following the annual meeting of the shareholders at which they are elected, and at the same place, unless by the unanimous consent of the directors then elected and serving such time or place shall be changed.
- 3.8 <u>Regular Meetings</u>. Regular meetings of the Board of Directors may be held upon such notice, or without notice, and at such time and at such place as shall from time to time be determined by the Board of Directors.
- 3.9 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the chairman of the Board of Directors or the president or any one director. The person authorized to call special meetings of the Board of Directors may fix any place for holding any special meeting. Notice of each special meeting of the Board of Directors shall be given to each director at least three days before the date of the meeting either orally or in writing.
- 3.10 <u>Waiver of Notice</u>. Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except in the case in which a director attends for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened and at the beginning of the meeting (or promptly upon his arrival or

when he is joined in by telephone or other means) he makes such objection and does not thereafter vote for or assent to any action taken at the meeting. Except as may be otherwise provided by law or by the Certificate of Formation or these bylaws, neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting.

- 3.11 Quorum. At all meetings of the Board of Directors a majority of the directors shall constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors, unless the act of a greater number is required by law, the Certificate of Formation or these bylaws. If a quorum shall not be present at any meeting of directors, the directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.
- 3.12 <u>Committees.</u> The Board of Directors, by resolution passed by a majority of the directors in office when the resolution is made, may from time to time designate members of the Board of Directors to constitute committees, including an executive committee, which shall in each case consist of two or more directors and shall have and may exercise such powers as the Board of Directors may determine and specify in the respective resolutions appointing them. The vote of a majority of all the members of any such committee shall be required for the Board of Directors to act and fix the time and place of its meetings, unless the Board of Directors shall otherwise provide. The Board of Directors shall have power at any time to change the number and members of any such committee and to fill vacancies and to discharge any such committee or any particular member. The requirements of Article III and IV hereof which govern meetings,

action without meetings, notice and waiver of notice, quorum and voting requirements of the Board of Directors shall also apply to committees and their members.

- 3.13 Written Consent. Any action required or permitted to be taken at a meeting of the Board of Directors or any executive committee may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed by all the members of the Board of Directors or executive committee, as the case may be, and such consent is filed with the records of the corporation. Action taken by consent is effective when the last director signs the consent unless the consent specifies a different date.
- 3.14 <u>Compensation</u>. By resolution of the Board of Directors, the directors may be paid their expenses, if any, of attendance at each meeting of the Board of Directors, and may be paid a fixed sum for attendance at each meeting of the Board of Directors or a stated salary as director. No such payment shall preclude any director from serving the corporation in any other capacity and receiving compensation therefor.

ARTICLE IV

NOTICES

4.1 <u>Written Notice</u>. Whenever required by law, the Certificate of Formation, or these bylaws, notice is to be given to any director, committee member, or shareholder, and if no provision is made as to how notice is to be given, notice may be given in writing, by mail, postage prepaid, addressed to the director, committee member, or shareholder at the address that appears on the books of the corporation or by any other method permitted by law. Notice by

mail shall be deemed to be given three days after the time when the same shall be deposited in the United States mail, postage prepaid.

4.2 <u>Waiver of Notice</u>. Whenever any notice is required to be given to any shareholder or director of the corporation as required by law, the Certificate of Formation, or these bylaws, a written waiver signed by the person or persons entitled to notice or a waiver by electronic transmission by the person entitled to notice, given before or after the time stated in the notice for inclusion in the minutes or filing in the corporate records, shall be deemed equivalent to the giving of such notice.

ARTICLE V

OFFICERS

- 5.1 Offices. The officers of the corporation shall be appointed by the Board of Directors and shall consist of a president and a secretary. The Board of Directors may also elect a chairman of the board, an assistant president, one or more vice-presidents, one or more assistant secretaries, a treasurer, and one or more assistant treasurers. No officer except for the chairman of the board need be a member of the Board of Directors. Two or more offices may be held by the same person.
- 5.2 Other Offices. The Board of Directors may appoint such other officers and assistant officers and agents as it shall deem necessary, who shall hold their offices for such terms and shall have such authority and exercise such powers and perform such duties as shall be determined from time to time by the Board of Directors by resolution not inconsistent with these bylaws.

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- 5.3 <u>Contracts and Compensation</u>. The Board of Directors shall have the power to enter into contracts for the employment and compensation of officers for such terms as the Board of Directors deems advisable. The salaries of all officers and agents of the corporation shall be fixed by the Board of Directors.
- 5.4 Terms. The officers of the corporation shall hold office until their successors are elected or appointed and qualified, or until their earlier resignation or removal from office. Any officer appointed by the Board of Directors may be removed at any time by the Board of Directors with or without cause whenever in its judgment the best interests of the corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election or appointment of an officer or agent shall not of itself create contract rights. Any vacancy occurring in any office of the corporation by death, resignation, removal or otherwise shall be filled by the Board of Directors.
- 5.5 <u>Chairman of the Board</u>. The chairman of the board, if one is elected, shall preside at all meetings of the Board of Directors, if present, and shall have such other powers and duties as may from time to time be prescribed by the Board of Directors upon written directions given to him pursuant to resolutions duly adopted by the Board of Directors.
- 5.6 <u>President</u>. The president shall be the chief executive officer of the corporation, and, subject to control of the Board of Directors, shall have general and active management of the business of the corporation and shall see that all orders and resolutions of the Board of Directors are carried into effect.

- 5.7 <u>Vice-President.</u> The vice-presidents in the order of their seniority, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the president, perform the duties and have the authority and exercise the powers of the president. (If there is no vice president, then the treasurer shall perform such duties in the absence or disability of the president.) They shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the president may from time to time delegate.
- 5.8 Secretary and Assistant Secretary. The secretary shall attend all meetings of the Board of Directors and the shareholders and record all of the proceedings of the meetings of the Board of Directors and the shareholders in a minute book to be kept for that purpose, and shall perform like duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the shareholders and special meetings of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors or president, under whose supervision he shall be. He shall keep in safe custody the seal of the corporation, if any, and, when authorized by the Board of Directors, shall affix the same to any instrument requiring it. Any instrument executed by the president shall be deemed properly authorized without regard to whether the seal shall have been affixed or the secretary shall have attested to the signature of the president.
- 5.9 <u>Assistant Secretaries</u>. The assistant secretaries, in the order of their seniority unless otherwise determined by the Board of Directors, shall, in the absence or disability of the secretary, perform the duties and exercise the powers of the secretary. They shall perform such

other duties and have such other powers as the Board of Directors may from time to time prescribe or as the president may from time to time delegate.

- 5.10 <u>Duties of Treasurer</u>. The treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts and records of receipts, disbursements and other transactions in books belonging to the corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the Board of Directors.
- 5.11 <u>Disbursements and Accounts of Treasurer</u>. The treasurer shall disburse the funds of the corporation as may be ordered by the Board of Directors, and shall render the president and the Board of Directors, at its regular meetings, or when the president or Board of Directors so requires, an account of all his transactions as treasurer and of the financial condition of the corporation.
- 5.12 <u>Bond</u>. If required by the Board of Directors, the treasurer shall give the corporation a bond of such type, character and amount as the Board of Directors may require.
- 5.13 <u>Assistant Treasurers</u>. The assistant treasurers, in the order of their seniority unless otherwise determined by the Board of Directors, shall, in the absence or disability of the treasurer, perform the duties and exercise the powers of the treasurer. They shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe or the president may from time to time delegate.

ARTICLE VI

CERTIFICATES REPRESENTING SHARES

- 6.1 <u>Certificates</u>. The shares of the corporation shall be represented by certificates signed by the president or a vice-president of the corporation, and may be sealed with the seal of the corporation or a facsimile thereof.
- 6.2 <u>Transfer of Shares</u>. Registration of the transfer of shares of the corporation shall be made only on the stock transfer books of the corporation. In order to register a transfer, the record owner shall surrender the shares to the corporation for cancellation. Upon surrender to the corporation of a certificate duly endorsed or accompanied by proper evidence of succession, assignment or authority to transfer, a new certificate shall be issued to the person entitled thereto and the old certificate canceled, and the name and address of the person to whom the shares represented thereby are issued, with the number of shares and date of issue, shall be recorded upon the books of the corporation.
- 6.3 Replacement. The Board of Directors may direct a certificate to be issued in place of any certificate theretofore issued by the corporation alleged to have been lost or destroyed. When authorizing such issue of a new certificate, the Board of Directors, in its discretion and as a condition precedent to the issuance thereof, may prescribe such terms and conditions as it deems expedient and may require such indemnities as it deems adequate to protect the corporation from any claim that may be made against it with respect to any such certificate alleged to have been lost or destroyed.

ARTICLE VII

GENERAL PROVISIONS

- 7.1 <u>Distribution and Share Dividends</u>. Subject to the provisions of the Certificate of Formation relating thereto, distributions or share dividends may be declared by the Board of Directors, in its discretion, at any regular or special meeting, pursuant to law. Distributions may be paid in cash, in property or in the corporation's own shares, subject to any provisions of the Certificate of Formation. Before payment of any distribution, there may be set aside out of any funds of the corporation available for distribution such sum or sums as the directors from time to time, in their absolute discretion, think proper as a reserve fund for meeting contingencies, or for repairing or maintaining any property of the corporation, or for such other purpose as the directors shall think conducive to the interest of the corporation, and the directors may modify or abolish any such reserve in the manner in which it was created.
- 7.2 <u>Books and Records</u>. The corporation shall keep correct and complete books and records of account, and shall keep minutes of the proceedings of its shareholders and Board of Directors, and shall keep at its registered office or principal place of business a record of its shareholders, giving the names and addresses of all shareholders and the number and class of the shares held by each.

ARTICLE VIII

AMENDMENTS

The shareholders reserve the right to alter, amend or repeal the bylaws of the corporation or adopt new bylaws. The shareholders may delegate to the Board of Directors the right to alter,

amend or repeal the bylaws of this corporation or adopt new bylaws, but the bylaws made by the directors and the power so conferred may be altered, amended or repealed by the shareholders.

ARTICLE IX

INDEMNIFICATION

- 9.1 RIGHT TO INDEMNIFICATION. THE CORPORATION WILL INDEMNIFY ANY PERSON WHO WAS, IS, OR IS THREATENED TO BE MADE A NAMED DEFENDANT OR RESPONDENT IN A PROCEEDING BECAUSE THE PERSON IS OR WAS A SHAREHOLDER, DIRECTOR OR OFFICER OF THE CORPORATION, TO THE MAXIMUM EXTENT PERMITTED BY THE TBOC. THIS RIGHT TO INDEMNIFICATION WILL INCLUDE THE RIGHT (TO THE EXTENT PERMITTED BY LAW) TO BE INDEMNIFIED FOR THE CONSEQUENCES OF THE SHAREHOLDER'S, DIRECTOR'S OR OFFICER'S OWN NEGLIGENCE (BUT NOT THE CONSEQUENCES OF THE SHAREHOLDER'S, DIRECTOR'S OR OFFICER'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT), AND THE RIGHT TO BE PAID BY THE CORPORATION THE EXPENSES INCURRED IN DEFENDING ANY SUCH PROCEEDING IN ADVANCE OF ITS FINAL DISPOSITION.
- 9.2 <u>Non-Exclusivity of Rights</u>. The rights to indemnification and to the advancement of expenses conferred in this Article IX will be in addition to and not in limitation of any other right which any person may have or hereafter acquire under any statute, the corporation's Certificate of Formation or bylaws, or otherwise.

- 9.3 <u>Insurance</u>. The corporation may, in its sole discretion, purchase and maintain insurance or another arrangement, at its expense, to protect itself and any director, officer, employee or agent of the corporation or another corporation, partnership, joint venture, trust or other enterprise against any expense, liability or loss, whether or not the corporation would have the power to indemnify such person against such expense, liability or loss under the TBOC.
- 9.4 <u>Indemnification of Employees and Agents of the Corporation</u>. The Board of Directors may, but is not required to, grant rights to indemnification and to the advancement of expenses to any employee or agent of the corporation to the full extent permitted by Texas law.

Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 20, 2025

Mr. Andy Boswell, Principal Compass Environmental Solutions, LLC 1625 Cottonwood School Road Rosenberg, TX 77471-8200 VIA E-MAIL

RE: College Station Town Center, Inc.

WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

Dear Mr. Boswell:

This acknowledges receipt, on May 22, 2025, of additional information, and on June 3, 2025, of fees in the amount of \$175.78 (Receipt No. M558040, copy attached).

Before the application can be declared administratively complete, provide written evidence that Mr. James Murr is authorized to sign the application for College Station Town Center, Inc., pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5) which states:

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of by-laws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

Staff acknowledges receipt of the Certificates of Conversion and Formation included in Appendix F of the submitted application; however, these documents do not address whether Mr. James Murr can sign documents on behalf of College Station Town Center, Inc.

Please provide the requested information by September 19, 2025, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via e-mail at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek, Project Manager Water Rights Permitting Team

Water Rights Permitting and Availability Section

Attachment

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

TCEQ 03-JUN-25 11:21 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

| Fee Description | Fee Code Account# Account Name | Ref#1 Ref#2 Paid In By | Check Number Card Auth. User Data | CC Type Tran Code Rec Code | Slip Key Document# | Tran Date | Tran Amount |
|------------------------------------|---|--|---|----------------------------|------------------------|-----------|-------------|
| NOTICE FEES-WUP- WATER USE PERM | PTGU PTGU NOTICE FEES WUP WATER USE PERMITS | M558040 13962 COLLEGE STATION TOWN CENTER INC | 10123 060325/ADT L PMT RHDAVIS | N CK | BS00115663 D5802995 | 03-JUN-25 | -\$175.78 |
| | | | | Total | (Fee Code): | | -\$175.78 |

JUN 0 6 2025
Water Availability Division

Page 4 of 6

PTGU

College Station Town Center, Inc. Application No. 13962 April 14, 2025 Page 2 of 2

- 3. Confirm that the requested place of use for recreational purposes is in Brazos County and that the requested place of use for agricultural purposes is 10.6 acres of land in Brazos County.
- 4. Provide copies of the notice, with certified mail proof of delivery, sent to each governmental body of each county and municipality in which the proposed reservoir, or any part of the reservoir, will be located, as required by Title 30 TAC § 295.4211.
- 5. Confirm the maximum monthly and annual evaporative losses for the reservoir to be 4.26 acre-feet and 22.16 acre-feet, respectively.
- 6. Remit fees in the amount of \$175.78 as described below. Please make check payable to the Texas Commission on Environmental Quality or the TCEQ.

| | | OT |
|-----------------------------|--------------------|-----|
| Filing Fee | \$ 100.00 | 00 |
| Recording Fee | \$ 25.00 | |
| Storage Fee | \$ 20.00 | 1 |
| Notice Fee (\$0.94 x 1,248) | \$ 1,173.12 | |
| TOTAL FEES | \$ 1,318.12 | |
| FEES RECEIVED | \$ <u>1,142.34</u> | |
| TOTAL FEES DUE | \$ 175.78 | and |
| | | |

Please provide the requested information and fees by May 14, 2025, or the application may be returned pursuant to Title 30 TAC § 281.18.

Additional information will be required prior to completion of technical review.

1. Provide a completed *Public Involvement Plan Form for Permit and Registration Application* (TCEQ 20960).

If you have any questions concerning this matter, please contact me via e-mail at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek

Natalia Ponebshek, Project Manager Water Rights Permitting Team Water Rights Permitting and Availability Section

Attachment

Natalia Ponebshek

From: Andy Boswell

Sent: Thursday, May 22, 2025 2:34 PM

To: Natalia Ponebshek

Cc: Chris Kozlowski; Humberto Galvan

Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI Extension

Attachments: Appendix A - WRPERM No. 13962 TCEQ Consent Letter.pdf; Appendix C - College

Station Town Center - Form 20960.pdf; Appendix B - Govt Official Notice Letters.pdf

All,

Please see the information below and the attached documents in reference to the on-going project - WRPERM 13962.

The response below follows the Request for Information letter received by my office on April 14, 2025.

#1 and #2

We have confirmed that Rock Prairie Management District #2 is the surface owner of the property, "for the land to be irrigated" and "for the land where the proposed dam and reservoir are located." Appendix A (attached) is a consent letter from Rock Prairie Management District #2, acknowledging their ownership of the land to be irrigated and the reservoir/dam, agreeing that it shall be irrigated from water pumped into the reservoir, and providing consent for Mr. Murr and myself to proceed with these requested permits.

#3

We confirm that the place of use is in Brazos County and consists of 10.6 acres for agricultural purposes.

#4

Appendix B, attached, is a copy of the notice letters sent USPS Certified Mail to the Brazos County Judge and the Mayor of College Station.

#5

We confirm that the maximum monthly and annual evaporative losses for the reservoir are 4.26 acre-feet and 22.16 acre-feet, respectively.

#6

A check in the amount of \$175.78 will be mailed to TCEQ, along with hard copies of all included information.

Additional Information

#1

The requested Public Involvement Plan Form for Permit and Registration Application (TCEQ 20960) has been attached here (Appendix C). It has been filled out as discussed during the teams meeting.

Please let me know if you have any other questions or comments regarding the project.

Sincerely,

Andy Boswell Principal/Sr. Scientist



1625 Cottonwood School Road

Rosenberg, Texas 77471

Office (main): (832) 595-9064 Office (direct): (832) 612-2890

Cell: (979) 219-2839

On Wed, May 7, 2025 at 3:16 PM Natalia Ponebshek < <u>Natalia.Ponebshek@tceq.texas.gov</u>> wrote: Good afternoon,

Please find the attached extension letter for the request for information for the abovementioned application. A response is due by June 13, 2025.

Thank you,

Natalia Ponebshek, Project Manager Water Rights Permitting Team Water Rights Permitting and Availability Section (512) 239-4641



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

RE: College Station Town Center, Inc. WRPERM 13962 CN606230282, RN111907093 Application No. 13962 for a Water Use Permit

| Dear Sirs and Madams, |
|---|
| I,Uri Geva, the duly authorized representative of Rock Prairie Management District #2 (The District), acknowledge that College Station Town Center, Inc. is requesting a Water Use Permit from the Texas Commission on Environmental Quality (TCEQ) in order to discharge water for irrigation purposes on land under The District's ownership and control. |
| Additionally, The District acknowledges that a previously unpermitted reservoir has been improved and now requires a TCEQ issued permit. |
| Please accept this letter as formal notification that The District provides consent to these activities listed above. |
| Thank you, |
| Uri Geva, President |
| May 13, 2025 |
| (Signature & Date) |

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

| Section 1. Preliminary Screening | | | | | | |
|---|--|--|--|--|--|--|
| New Permit or Registration Application New Activity - modification, registration, amendment, facility, etc. (see instructions) | | | | | | |
| If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted. | | | | | | |
| Section 2. Secondary Screening | | | | | | |
| Requires public notice, Considered to have significant public interest, and Located within any of the following geographical locations: Austin Dallas Fort Worth Houston San Antonio West Texas Texas Panhandle Along the Texas/Mexico Border Other geographical locations should be decided on a case-by-case basis | | | | | | |
| If all the above boxes are not checked, a Public Involvement Plan is not necessary. Stop after Section 2 and submit the form. | | | | | | |
| Public Involvement Plan not applicable to this application. Provide brief explanation. | | | | | | |

TCEQ-20960 (02-09-2023) Page 1 of 4

| Section 3. Application Information |
|--|
| Type of Application (check all that apply): Air Initial Federal Amendment Standard Permit Title V Waste Municipal Solid Waste Industrial and Hazardous Waste Scrap Tire Radioactive Material Licensing Underground Injection Control |
| Water Quality Texas Pollutant Discharge Elimination System (TPDES) Texas Land Application Permit (TLAP) State Only Concentrated Animal Feeding Operation (CAFO) Water Treatment Plant Residuals Disposal Permit Class B Biosolids Land Application Permit Domestic Septage Land Application Registration |
| Water Rights New Permit New Appropriation of Water New or existing reservoir Amendment to an Existing Water Right Add a New Appropriation of Water Add a New or Existing Reservoir Major Amendment that could affect other water rights or the environment |
| Section 4. Plain Language Summary |
| Provide a brief description of planned activities. |
| |

TCEQ-20960 (02-09-2023)

Page 2 of 4

| Section 5. Community and Demographic Information |
|---|
| Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools. |
| Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information. |
| |
| (City) |
| (County) |
| |
| (Census Tract) Please indicate which of these three is the level used for gathering the following information. City County Census Tract |
| |
| (a) Percent of people over 25 years of age who at least graduated from high school |
| |
| (b) Per capita income for population near the specified location |
| |
| |
| (c) Percent of minority population and percent of population by race within the specified location |
| |
| (d) Percent of Linguistically Isolated Households by language within the specified location |
| (d) referred of Englished political flouseholds by language within the specifical location |
| |
| (e) Languages commonly spoken in area by percentage |
| |
| |
| (f) Community and/or Stakeholder Groups |
| |
| (g) Historic public interest or involvement |
| |
| |

TCEQ-20960 (02-09-2023)

| Section 6. Planned Public Outreach Activities |
|---|
| (a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39? |
| Yes No |
| (b) If yes, do you intend at this time to provide public outreach other than what is required by rule? |
| Yes No |
| If Yes, please describe. |
| |
| If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required. (c) Will you provide notice of this application in alternative languages? |
| Yes No |
| Please refer to Section 5. If more than 5% of the population potentially affected by your |
| application is Limited English Proficient, then you are required to provide notice in the alternative language. |
| If yes, how will you provide notice in alternative languages? |
| Publish in alternative language newspaper |
| Posted on Commissioner's Integrated Database Website |
| Mailed by TCEQ's Office of the Chief Clerk |
| Other (specify) |
| (d) Is there an opportunity for some type of public meeting, including after notice? |
| Yes No |
| (e) If a public meeting is held, will a translator be provided if requested? |
| Yes No |
| (f) Hard copies of the application will be available at the following (check all that apply): |
| TCEQ Regional Office TCEQ Central Office |
| Public Place (specify) |
| |
| Section 7. Voluntary Submittal |
| For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements. |
| Will you provide notice of this application, including notice in alternative languages? Yes No |
| What types of notice will be provided? |
| Publish in alternative language newspaper |
| Posted on Commissioner's Integrated Database Website |
| Mailed by TCEQ's Office of the Chief Clerk |
| Other (specify) |
| |
| |

TCEQ-20960 (02-09-2023) Page 4 of 4





The Honorable Duane Peters Brazos County Judge 200 South Texas Ave, Suite 332 Bryan, TX 77803

RE: Texas Commission on Environmental Quality Water Use Permits – Midtown Drive and Town Lake Drive

To The Honorable Duane Peters,

Please allow this letter to provide notice to you, the highest ranking elected official of Brazos County; that College Station Town Center, Inc. has applied for two (2) Texas Commission on Environmental Quality (TCEQ) Water Use Permits on property located immediately north of the Midtown Drive and Town Lake Drive intersection, owned and managed by Rock Prairie Management District #2.

These permits consist of (1) Water Use of Irrigation and (2) a Permitted Reservoir.

This requires no action on your part, as the Agent of the Applicant I am sending this to you via USPS Certified Mail as part of the TCEQ required documentation filings.

Please accept this letter as formal notification that TCEQ Water Use Permits have been requested from TCEQ on the above referenced property.

If you have any questions, please do not hesitate to contact me via mail, phone, or email (see below).

Sincerely,

Andy Boswell

Principal

Compass Environmental Solutions, LLC

Boowell

1625 Cottonwood School Road Rosenberg, Texas 77471 (832) 595-9064



Mayor John Nichols College Station City Hall 1101 Texas Ave College Station, Texas 77840

RE: Texas Commission on Environmental Quality Water Use Permits – Midtown Drive and Town Lake Drive

To Mayor John Nichols,

Please allow this letter to provide notice to you, Mayor John Nichols; that College Station Town Center, Inc. has applied for two (2) Texas Commission on Environmental Quality (TCEQ) Water Use Permits on property located immediately north of the Midtown Drive and Town Lake Drive intersection, owned and managed by Rock Prairie Management District #2.

These permits consist of (1) Water Use of Irrigation and (2) a Permitted Reservoir.

This requires no action on your part, as the Agent of the Applicant I am sending this to you via USPS Certified Mail as part of the TCEQ required documentation filings.

Please accept this letter as formal notification that TCEQ Water Use Permits have been requested from TCEQ on the above referenced property.

If you have any questions, please do not hesitate to contact me via mail, phone, or email (see below).

Sincerely,

Andy Boswell Principal

Compass Environmental Solutions, LLC

1625 Cottonwood School Road Rosenberg, Texas 77471 (832) 595-9064





Natalia Ponebshek

From: Natalia Ponebshek

Sent: Wednesday, May 7, 2025 3:17 PM

To: Andy Boswell

Cc: Chris Kozlowski; Humberto Galvan

Subject:College Station Town Center, Inc. WRPERM No. 13962 RFI ExtensionAttachments:College_Station_Town_Center_Inc._13962_RFI_Ext_Sent_5.7.2025.pdf

Good afternoon,

Please find the attached extension letter for the request for information for the abovementioned application. A response is due by June 13, 2025.

Thank you,

Natalia Ponebshek, Project Manager Water Rights Permitting Team Water Rights Permitting and Availability Section (512) 239-4641 Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 7, 2025

Mr. Andy Boswell, Principal Compass Environmental Solutions, LLC 1625 Cottonwood School Road Rosenberg, TX 77471-8200 VIA E-MAIL

RE: College Station Town Center, Inc.

WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

Dear Mr. Boswell:

This acknowledges receipt, on May 6, 2025, of the applicant's request for an extension of time to respond to the Texas Commission on Environmental Quality's request for information, dated April 14, 2025 (attached).

An extension is granted until June 13, 2025, and after that date the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter, please contact Ms. Natalia Ponebshek via email at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Bert Galvan, Section Manager Water Rights Permitting and Availability Section Water Availability Division

BG/np

Attachment

Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 14, 2025

Mr. Andy Boswell, Principal Compass Environmental Solutions, LLC 1625 Cottonwood School Road Rosenberg, TX 77471-8200 VIA E-MAIL

RE: College Station Town Center, Inc. WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

Dear Mr. Boswell:

This acknowledges receipt, on February 14, 2024, of the referenced application and on March 13, 2024, of fees in the amount of \$1,142.34 (Receipt No. M414631, copy attached).

Additional information and fees are required before the application can be declared administratively complete.

1. Provide written evidence that Mr. James Murr is authorized to sign the application for College Station Town Center, Inc., pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5) which states:

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of by-laws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

Staff acknowledges receipt of the Certificates of Conversion and Formation included in Appendix F; however, written evidence in the form of by-laws, charters, or resolutions are required.

- 2. Provide an application in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to:
 - a. Title 30 TAC § 295.32(a)(5) for the land to be irrigated, and
 - b. Title 30 TAC § 295.10 for the land where the proposed dam and reservoir are located. Note, if the applicant has power of condemnation, please indicate such in lieu of providing the requested consent.

Staff notes that the special warranty deeds provided name Rock Prairie Management District No. 2 as the landowner.

College Station Town Center, Inc. Application No. 13962 April 14, 2025 Page 2 of 2

- 3. Confirm that the requested place of use for recreational purposes is in Brazos County and that the requested place of use for agricultural purposes is 10.6 acres of land in Brazos County.
- 4. Provide copies of the notice, with certified mail proof of delivery, sent to each governmental body of each county and municipality in which the proposed reservoir, or any part of the reservoir, will be located, as required by Title 30 TAC § 295.4211.
- 5. Confirm the maximum monthly and annual evaporative losses for the reservoir to be 4.26 acre-feet and 22.16 acre-feet, respectively.
- 6. Remit fees in the amount of \$175.78 as described below. Please make check payable to the Texas Commission on Environmental Quality or the TCEQ.

| Filing Fee | \$ 100.00 |
|-----------------------------|----------------|
| Recording Fee | \$ 25.00 |
| Storage Fee | \$ 20.00 |
| Notice Fee (\$0.94 x 1,248) | \$ 1,173.12 |
| TOTAL FEES | \$ 1,318.12 |
| FEES RECEIVED | \$ 1,142.34 |
| TOTAL FEES DUE | \$ 175.78 |

Please provide the requested information and fees by May 14, 2025, or the application may be returned pursuant to Title 30 TAC § 281.18.

Additional information will be required prior to completion of technical review.

1. Provide a completed *Public Involvement Plan Form for Permit and Registration Application* (TCEQ 20960).

If you have any questions concerning this matter, please contact me via e-mail at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek, Project Manager

Natalia Ponobshok

Water Rights Permitting Team

Water Rights Permitting and Availability Section

Attachment



TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

| | Fee Code | Ref#1 | Check Number | CC Type | | | |
|-----------------|-------------------|--|--------------|-------------|-------------|-----------|-------------|
| | Account# | Ref#2 | Card Auth. | Tran Code | Slip Key | | |
| Fee Description | Account Name | Paid In By | User Data | Rec Code | Document# | Tran Date | Tran Amount |
| WTR USE PERMITS | WUP | M414631 | 1131 | | BS00108510 | 13-MAR-24 | -\$1,142.34 |
| | WUP | | 031324 | N | D4802359 | | |
| | WATER USE PERMITS | COLLEGE STATION TOWN CENTER INC | RHDAVIS | CK | | | |
| | | | | Total | (Fee Code): | | -\$1,142.34 |
| | | | | Grand Total | l: | | -\$9,461.34 |

RECEIVED

MAR 15 2024

Water Availability Division

Natalia Ponebshek

1625 Cottonwood School Road

| From: Sent: To: Cc: Subject: | Andy Boswell Tuesday, May 6, 2025 3:08 PM Chris Kozlowski Natalia Ponebshek; Humberto Galvan Re: College Station Town Center, Inc. WRPERM No. 13962 RFI |
|---|--|
| Chris and Natalia, | |
| We'd like to ask for an exte | ension while we are working through the consent documents. |
| Sincerely, | |
| Andy Boswell Principal/Sr. Scientist 1625 Cottonwood School I Rosenberg, Texas 77471 Office (main): (832) 595-90 Office (direct): (832) 612-2 Cell: (979) 219-2839 | 064 |
| This letter works for conse | :12 AM Chris Kozlowski < chris.kozlowski@tceq.texas.gov wrote: ent. Make sure that the letter head is either that of the entity providing the all together if you don't have letterhead for Rock Prairie. Otherwise, the ks for consent. |
| Cc: Chris Kozlowski < chris.koz | 12:30 PM lia.Ponebshek@tceq.texas.gov> clowski@tceq.texas.gov>; Humberto Galvan < Humberto.Galvan@tceq.texas.gov> Town Center, Inc. WRPERM No. 13962 RFI |
| | letter, to be signed by Rock Prairie Management, is sufficient for TCEQ's needs permits on their property. |
| Sincerely, | |
| Andy Boswell Principal/Sr. Scientist | |

Rosenberg, Texas 77471 Office (main): (832) 595-9064 Office (direct): (832) 612-2890

Cell: (979) 219-2839

On Fri, Apr 25, 2025 at 2:09 PM Natalia Ponebshek < Natalia.Ponebshek@tceq.texas.gov > wrote:

Please find the attached Public Involvement Plan discussed in the meeting. Let me know if you have any questions.

PIP Form TCEQ-20960

Thank you,

Natalia Ponebshek, Project Manager

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4641

From: Chris Kozlowski < chris.kozlowski@tceq.texas.gov>

Sent: Friday, April 25, 2025 1:34 PM

To: Andy Boswell

Cc: Natalia Ponebshek < Natalia.Ponebshek@tceq.texas.gov >; Humberto Galvan < Humberto.Galvan@tceq.texas.gov >

Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI

https://teams.microsoft.com/l/meetup-

join/19:meeting NDBhZjdkNDYtNmVkZi00ODI3LWI4NDAtNWY3MzMwMjNiZDQ2@thread.v2/0?contex t=%7B%22Tid%22:%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22,%22Oid%22:%223af5d8a8-c94f-446a-9491-7667ac43c40b%22%7D

From: Andy Boswell

Sent: Tuesday, April 22, 2025 9:50 AM

To: Chris Kozlowski < chris.kozlowski@tceq.texas.gov>

Cc: Natalia Ponebshek < Natalia. Ponebshek@tceq.texas.gov >; Humberto Galvan < Humberto. Galvan@tceq.texas.gov >

Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI

This works for me.

Sincerely,

Andy Boswell Principal/Sr. Scientist



1625 Cottonwood School Road

Rosenberg, Texas 77471

Office (main): (832) 595-9064 Office (direct): (832) 612-2890

Cell: (979) 219-2839

On Tue, Apr 22, 2025 at 8:48 AM Chris Kozlowski < chris.kozlowski@tceq.texas.gov> wrote:

Mr. Boswell,

I just sent you an invite for a Teams meeting on Friday at 1:30pm. Let me know if you did not receive it and Let me know if this time does not work for you. Thanks.

Chris Kozlowski, Team Leader

Water Rights Permitting Team

Water Rights Permitting & Availability Section

Texas Commission on Environmental Quality

Chris.Kozlowski@tceq.texas.gov

| From: Andy Boswell Sent: Monday, April 21, 2025 2:08 PM To: Chris Kozlowski < chris.kozlowski@tceq.texas.gov > Cc: Natalia Ponebshek < Natalia.Ponebshek@tceq.texas.gov >; Humberto Galvan < Humberto.Galvan@tceq.texas.gov Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI |
|--|
| Chris, |
| I'm available this Thursday morning until 12 and Friday after 9:45. Also available tomorrow from 9-1. |
| Do any of those work for yall? |
| Thank you, |
| Andy Boswell Principal - Senior Scientist |
| Compass Environmental Solutions, LLC |
| 979-219-2839 |
| Please excuse minor typographical errors as this was sent from my iPhone. |
| On Apr 21, 2025, at 1:45 PM, Chris Kozlowski < chris.kozlowski@tceq.texas.gov > wrote: |

Mr. Boswell,

Perhaps meeting up to go over what we need. What is your availability over the next week or so?

Chris Kozlowski, Team Leader

Water Rights Permitting Team

Water Rights Permitting & Availability Section

Texas Commission on Environmental Quality

(512)239-1801

Chris.Kozlowski@tceq.texas.gov

From: Andy Boswell

Sent: Tuesday, April 15, 2025 1:08 PM

To: Natalia Ponebshek < Natalia.Ponebshek@tceq.texas.gov >

Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan

< Humberto. Galvan@tceq.texas.gov >

Subject: Re: College Station Town Center, Inc. WRPERM No. 13962 RFI

Natalia,

I'm a little confused. We've submitted all of the requested information, now multiple times, so I'm not sure where this is going.

If this is simply a request for the additional \$175.78, that request should be made to Mr. Murr.

| Please advise. |
|--|
| |
| Sincerely, |
| Andy Boswell Principal/Sr. Scientist 1625 Cottonwood School Road Rosenberg, Texas 77471 Office (main): (832) 595-9064 Office (direct): (832) 612-2890 Cell: (979) 219-2839 |
| Com (676) 216 2666 |
| On Mon, Apr 14, 2025 at 3:34 PM Natalia Ponebshek < <u>Natalia.Ponebshek@tceq.texas.gov</u> > wrote: |
| Good afternoon, |
| Please find the attached request for information for the abovementioned application. A response is due by May 14, 2025. Please let me know if you have any questions regarding this request. |
| Thank you, |
| Natalia Ponebshek, Project Manager |
| Water Rights Permitting Team |
| Water Rights Permitting and Availability Section |
| (512) 239-4641 |

Texas Commission on Environmental Quality TELEPHONE MEMO TO THE FIILE

| Meeting with: | Call from: TECQ Staff | | | | | | | | | |
|---|---|--|--|--|--|--|--|--|--|--|
| Andy Boswell | Natalia Ponebshek, Chris Kozlowski, Trent Gay, Bert | | | | | | | | | |
| | Galvan | | | | | | | | | |
| Date: | Applicant: | | | | | | | | | |
| 4/25/2025 | College Station Town Center - 13962 | | | | | | | | | |
| Information for File follows: | | | | | | | | | | |
| | | | | | | | | | | |
| | This teams meeting was requested by the applicant to discuss questions they had regarding the RFI dated | | | | | | | | | |
| 4/14/2025. The applicant's questions were answered. | | | | | | | | | | |
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| Signed | 4/25/2025 | | | | | | | | | |

Brooke T. Paup, *Chairwoman*Bobby Janecka, *Commissioner*Catarina R. Gonzales, *Commissioner*Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 14, 2025

Mr. Andy Boswell, Principal Compass Environmental Solutions, LLC 1625 Cottonwood School Road Rosenberg, TX 77471-8200 VIA E-MAIL

RE: College Station Town Center, Inc. WRPERM 13962

CN606230282, RN111907093

Application No. 13962 for a Water Use Permit

Texas Water Code §§ 11.121, 11.042, Requiring Mailed and Published Notice

Unnamed tributary of Lick Creek, Brazos River Basin

Brazos County

Dear Mr. Boswell:

This acknowledges receipt, on February 14, 2024, of the referenced application and on March 13, 2024, of fees in the amount of \$1,142.34 (Receipt No. M414631, copy attached).

Additional information and fees are required before the application can be declared administratively complete.

1. Provide written evidence that Mr. James Murr is authorized to sign the application for College Station Town Center, Inc., pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5) which states:

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of by-laws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

Staff acknowledges receipt of the Certificates of Conversion and Formation included in Appendix F; however, written evidence in the form of by-laws, charters, or resolutions are required.

- 2. Provide an application in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to:
 - a. Title 30 TAC § 295.32(a)(5) for the land to be irrigated, and
 - b. Title 30 TAC § 295.10 for the land where the proposed dam and reservoir are located. Note, if the applicant has power of condemnation, please indicate such in lieu of providing the requested consent.

Staff notes that the special warranty deeds provided name Rock Prairie Management District No. 2 as the landowner.

College Station Town Center, Inc. Application No. 13962 April 14, 2025 Page 2 of 2

- 3. Confirm that the requested place of use for recreational purposes is in Brazos County and that the requested place of use for agricultural purposes is 10.6 acres of land in Brazos County.
- 4. Provide copies of the notice, with certified mail proof of delivery, sent to each governmental body of each county and municipality in which the proposed reservoir, or any part of the reservoir, will be located, as required by Title 30 TAC § 295.4211.
- 5. Confirm the maximum monthly and annual evaporative losses for the reservoir to be 4.26 acre-feet and 22.16 acre-feet, respectively.
- 6. Remit fees in the amount of \$175.78 as described below. Please make check payable to the Texas Commission on Environmental Quality or the TCEQ.

| Filing Fee | \$ | 100.00 |
|-----------------------------|-----------|----------|
| Recording Fee | \$ | 25.00 |
| Storage Fee | \$ | 20.00 |
| Notice Fee (\$0.94 x 1,248) | \$ | 1,173.12 |
| TOTAL FEES | <u>\$</u> | 1,318.12 |
| FEES RECEIVED | \$ | 1,142.34 |
| TOTAL FEES DUE | \$ | 175.78 |

Please provide the requested information and fees by May 14, 2025, or the application may be returned pursuant to Title 30 TAC § 281.18.

Additional information will be required prior to completion of technical review.

1. Provide a completed *Public Involvement Plan Form for Permit and Registration Application* (TCEQ 20960).

If you have any questions concerning this matter, please contact me via e-mail at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek, Project Manager

Water Rights Permitting Team

Natalia Ponobshok

Water Rights Permitting and Availability Section

Attachment



TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

| | Fee Code | Ref#1 | Check Number | CC Type | | | |
|-----------------|-------------------|--|--------------|-------------|-------------|-----------|-------------|
| | Account# | Ref#2 | Card Auth. | Tran Code | Slip Key | | |
| Fee Description | Account Name | Paid In By | User Data | Rec Code | Document# | Tran Date | Tran Amount |
| WTR USE PERMITS | WUP | M414631 | 1131 | | BS00108510 | 13-MAR-24 | -\$1,142.34 |
| | WUP | | 031324 | N | D4802359 | | |
| | WATER USE PERMITS | COLLEGE STATION TOWN CENTER INC | RHDAVIS | CK | | | |
| | | | | Total | (Fee Code): | | -\$1,142.34 |
| | | | | Grand Total | l: | | -\$9,461.34 |

RECEIVED

MAR 15 2024

Water Availability Division



February 13, 2024

Texas Commission on Environmental Quality Water Availability Division, MC 160 12100 Park 35 Circle Austin, Texas 78753

RECEIVED

By Eddie Valencia at 9:58 am, Feb 14, 2024

RE: Request for Permit Authorization

College Station Town Center, Inc. Town Lake Project

Brazos County, Texas

Dear Staff:

On behalf of College Station Town Center, Inc. (Applicant), COMPASS ENVIRONMENTAL SOLUTIONS, LLC submits the following information to obtain the necessary Texas Commission on Environmental Quality permit authorizations under TWC § 11.042 for the diversion of water sourced from two groundwater wells providing water for recreational use within an existing 5.2-acre, on-channel reservoir, and commercial irrigation of 10.6 acres in College Station, Brazos County, Texas.

Project Information

The Applicant proposes using a 5.2-acre reservoir, an existing feature historically used for private agricultural use located on an un-named intermittent tributary to Lick Creek, for recreational use, and commercial agricultural irrigation use on approximately 10.6 acres of lands within the adjacent residential development. All 15.8 acres associated with the reservoir and the irrigated lands are owned by the City of College Station and Rock Prairie Management District No. 2, a political subdivision of the State of Texas. The maximum storage capacity of the reservoir is approximately 20-acre-feet (6,517,020 gallons). In addition to the pool level of 20-acre-feet of water, it is estimated approximately 90-acre-feet (29,326,629 gallons) will be used for irrigation; therefore, approximately 110-acre-feet (35,843,610 gallons) of water is anticipated to be needed annually.

The headwater of the un-named intermittent tributary to Lick Creek is approximately 0.53-mile upstream of the upper limits of the reservoir. The application only requests to discharge and subsequently divert groundwater, and the amount of water diverted will not exceed the amount of water discharged, less losses, therefore there should be no changes to downstream instream flows or freshwater inflows and therefore should not adversely affect the quantity or quality of flows remaining after the proposed diversion.

The limited stream flow volume is the reason supplemental source water for the reservoir was needed and the Applicant had two water wells installed adjacent to the reservoir as groundwater supply. The applicant also had the existing reservoir deepened, lined, and had a concrete and rock filter dam/spillway installed within the tributary to Lick Creek at the southeastern limits of the reservoir. The activities were authorized through the United State Army Corps of Engineers (USACE) under Nationwide Permit 14 and assigned project number SWF-2018-00234, with Mr. Eric Dephouse as the USACE Project Manager.

The waters discharged into the reservoir will provide water used within a network of sprinkler systems along the public portions of the development along both sides of Town Lake Drive, the south side of Rock Prairie Road, and around the reservoir perimeter. The proposed diversions and intakes from the reservoir will require flexibility in their stationing; therefore, the Applicant requests approval for discharges and intakes at any location along the reservoir perimeter.

The following information is included or your review and reference:

- Maps (Appendix A)
- Irrigation System As-Builts (Appendix A)
- Administrative Information Checklist, Form 10214b (Appendix B)
- Technical Information Report, Form 10214c (Appendix B)
- Information Sheet: Existing Dam, Form 20344 (Appendix B)
- System Inventory and Water Conservation Plan, Form 10238 (Appendix B)
- Summary of Request (Appendix C)
- Addendum to Worksheet 5.0 (Photos/Appendix D)
- Brazos County Appraisal District Deed Information (Appendix E)
- Signatory Affidavit (Appendix F)
- Water Well Permits (Appendix G)
- Water Quality Analysis (Appendix H)

A check in the amount of \$1,142.34 will be submitted immediately upon notice of receipt of this revised form.

Conclusion

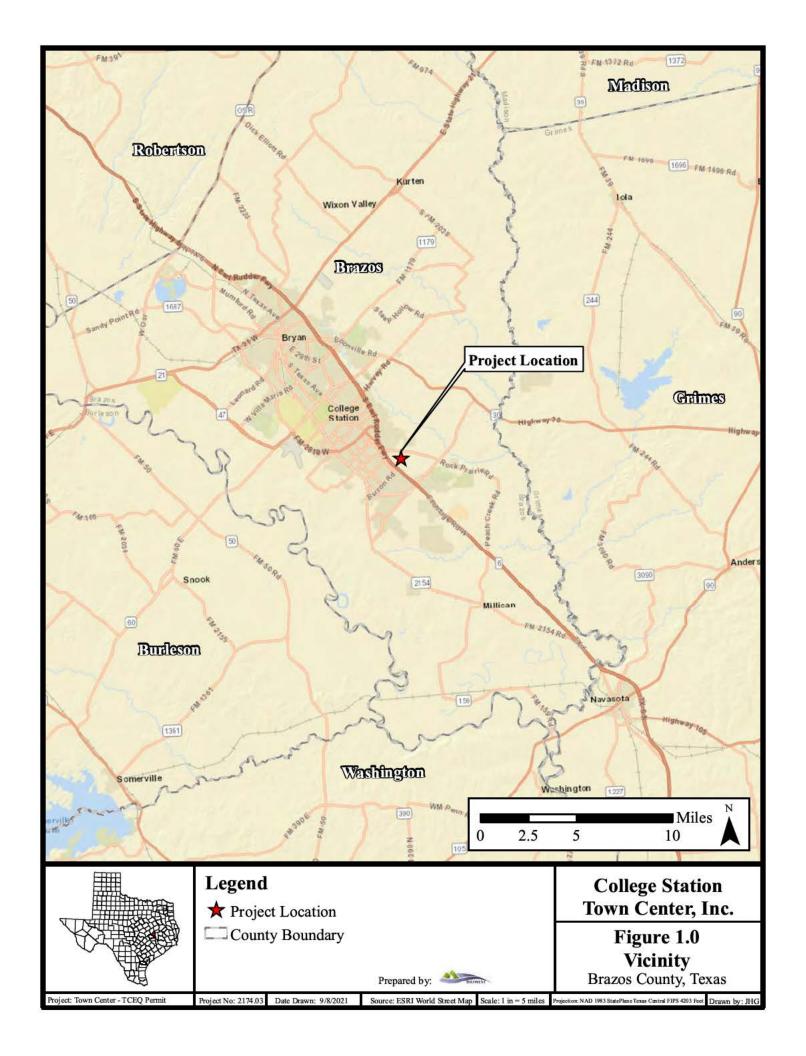
COMPASS ENVIRONMENTAL SOLUTIONS, LLC greatly appreciates your efforts in processing this request for authorization. If you have any questions, please feel free to contact us at (832) 595-9064.

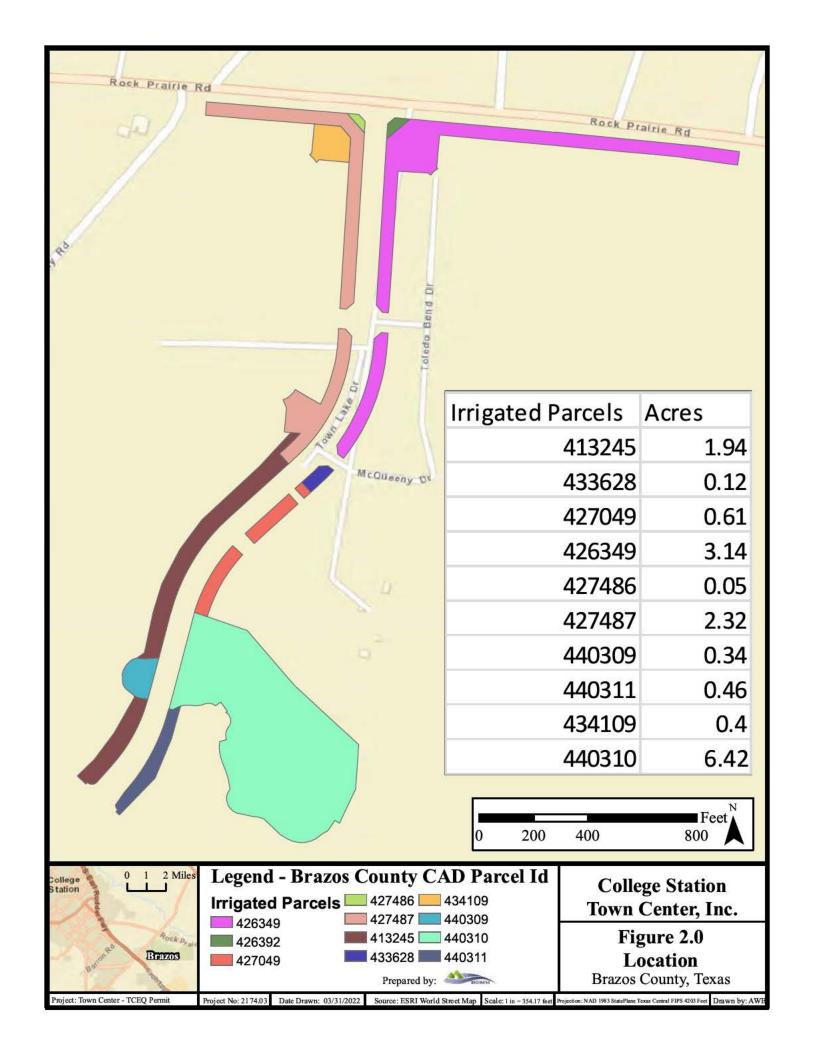
Sincerely,

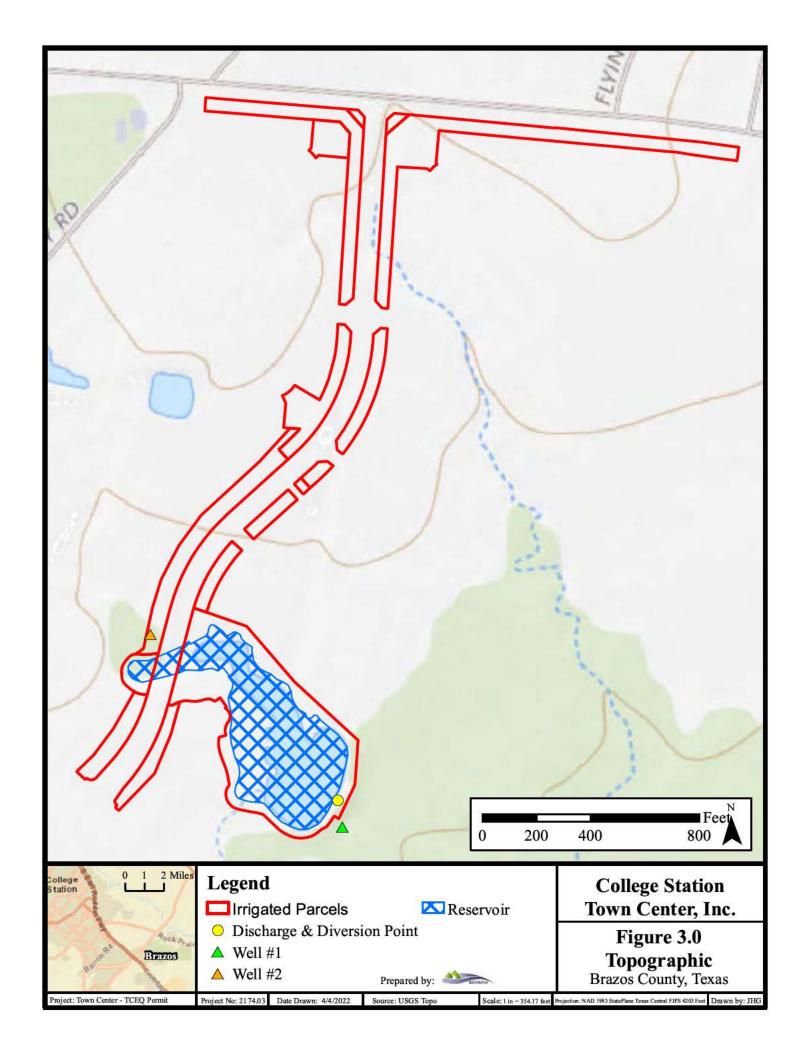
Andy Boswell Principal Compass Environmental Solutions, LLC

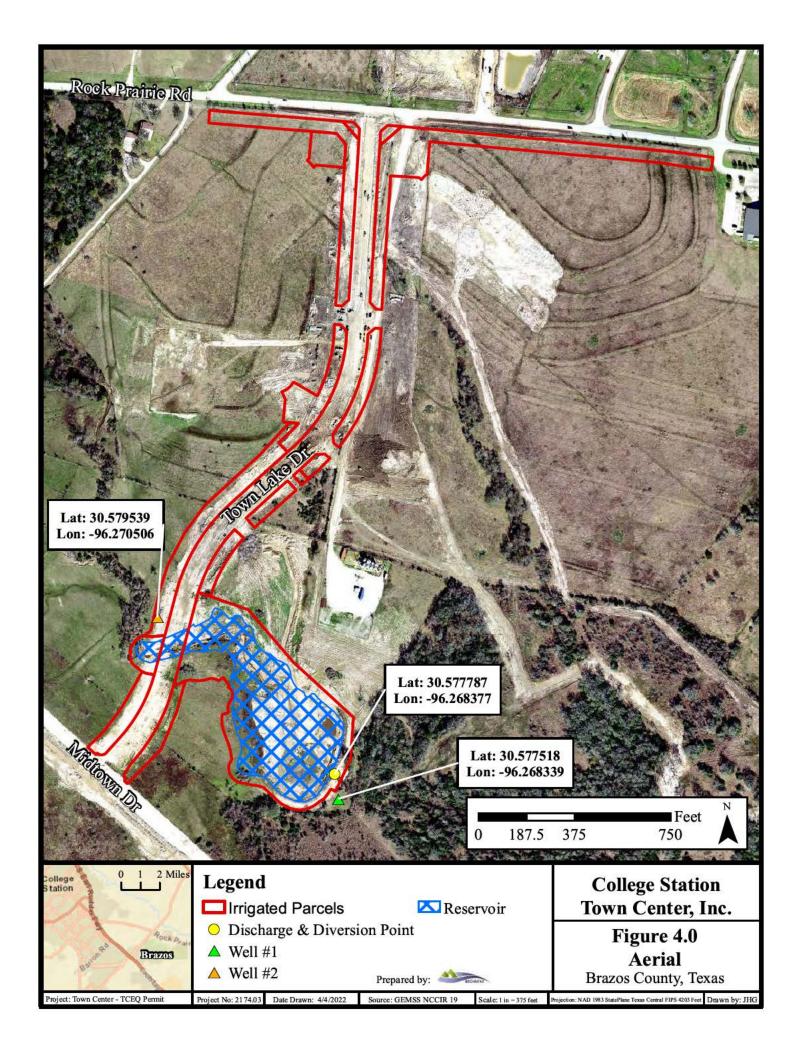
Appendix A

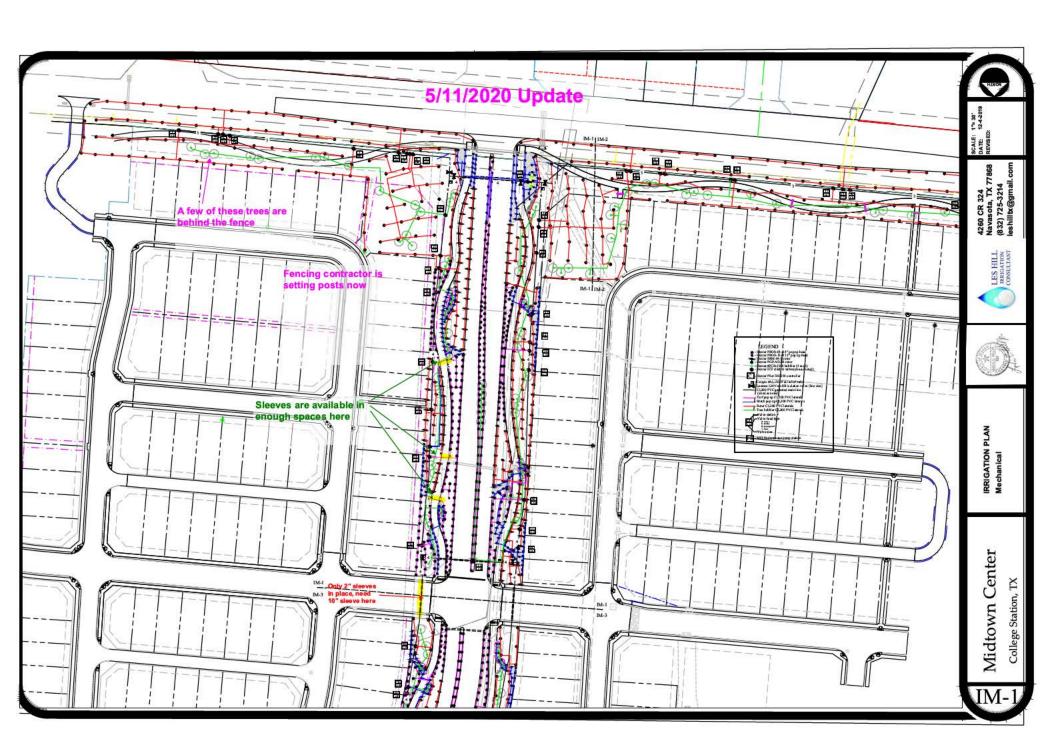
Maps and Figures

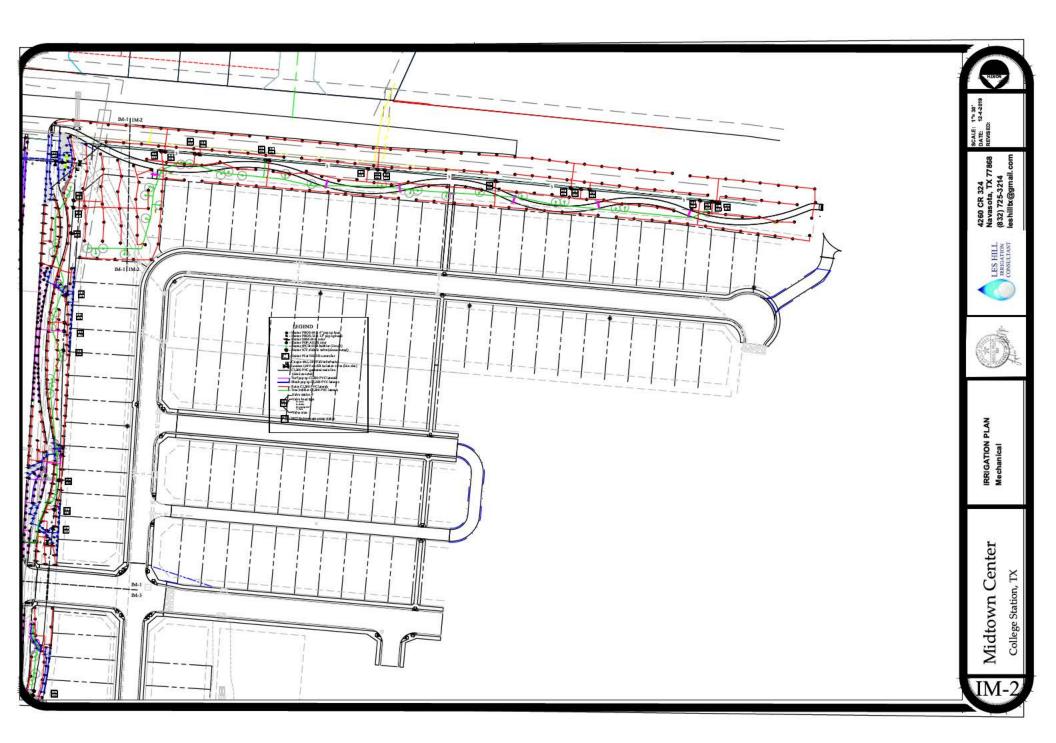


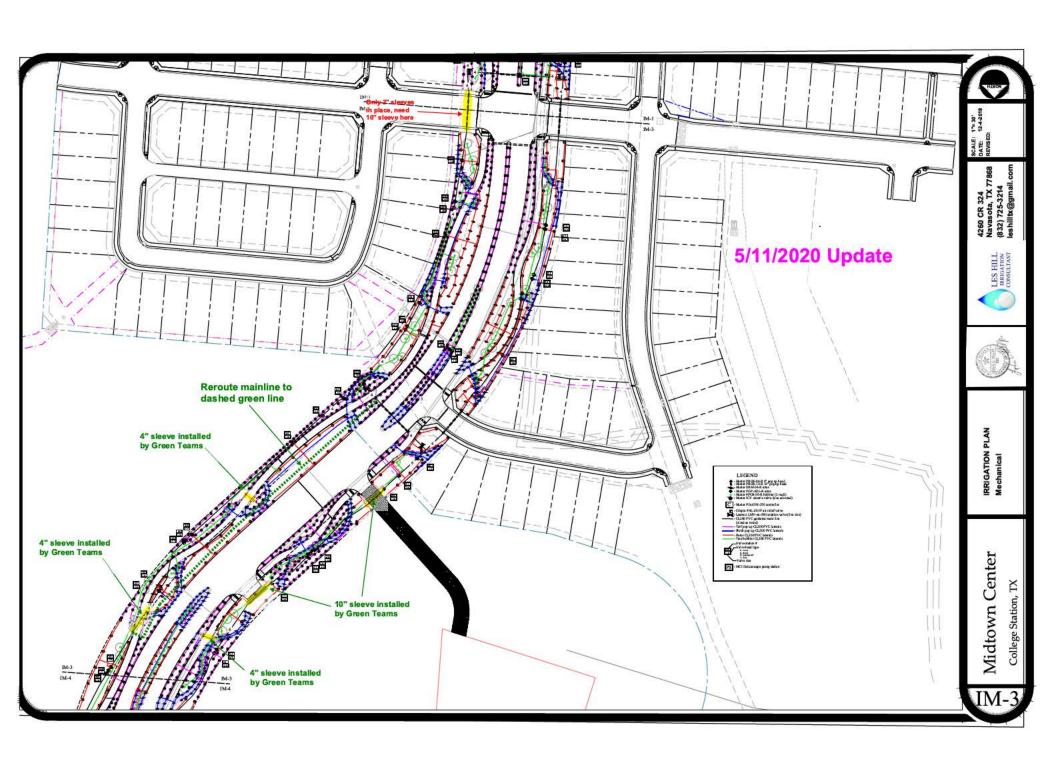


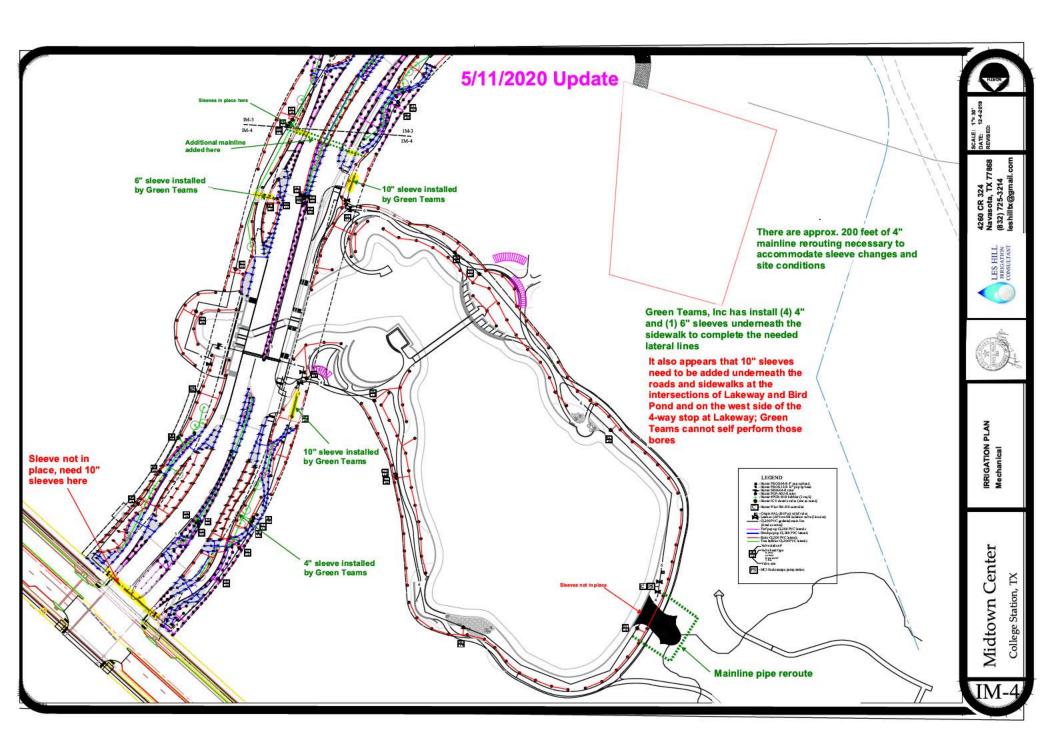


















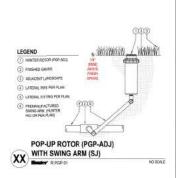


Midtown Center







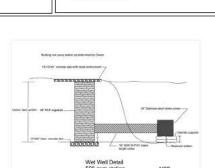


12"X18" VALVE BOX. W/EXTENSION

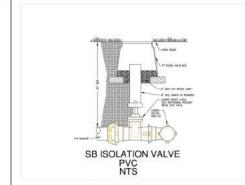
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AIR RELIEF VALVE

Grounding details







IN LINE ISOLATION VALVE

MALINE MY & HTMS

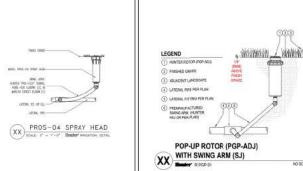
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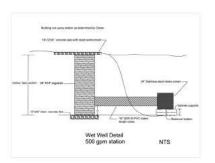
ICV 2"/3" GLOBE VALVE



Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ)(MC-178). P.O. Box 13087, Austin, TX 78711-3087. TCEQ'S website is www.tceq.state.tx.us

I, Les Hill, to hereby affirm that this plan conforms to all requirements of TCEQ.





Nozzling Notes

Nozzling for the heads shall be as follows:

- 1. PGP rotors- All PGP rotors shall have a #4 red nozzle. Full circle rotors and part circle rotors shall be on separate zones.
- 2. SRM rotors- All SRM rotors shall have a .75 nozzle. Full circle and part circle may be on the same zone.
- 3. Pop ups sprays (turf and shrub)- All sprays shall have PS ultra standard nozzles. Nozzle size shall be determined by head spacing, i.e., head to head nozzling. 15' spacing shall require #515 strip nozzles.
- 4. Tree bubblers (2 per tree) shall be #PCB-R-50.

| | HYE | RAULICS |
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| System- | | |
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| | fump station- ti | DM yd squaiorabe |
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| | | (and odes tree bubblers) |
| Preriginal | | |
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| ı | 99M 198949- | |
| | Strub popupa- | |
| | Turf pop ups- | |
| | Tree bubblers- | 3.32 in/hr |
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| Watering | time per week- (n | recircum) |
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| | SMM rotori- | 240 minutes |
| | Strob pop ups- | 80 minutes |
| | Turf pap ups- | 60 minutes |
| | Insububblers- | 30 minutes |
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| | T* | 20 gam |
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| | LATER | IAL PIPE SIZING |
|-------------|---------|-----------------|
| Head type | # heads | pipe fee. |
| | 1-2 | 1/4" |
| | 55 | T ^e |
| | 6.7 | 11/4" |
| | 8-12 | 11/2" |
| | | 1" |
| | 1-4 | 1/2" |
| | 5-9 | 8/4" |
| | 10-18 | I.e. |
| | | 11/4" |
| | | 11/9" |
| | 41-58 | 1* |
| Sitrub & gr | | 100 |
| | 1-4 | 1/2" |
| | 58 | 5/4" |
| | 10-18 | 1" |
| | 19-25 | 11/4" |
| | 24-40 | 11/2" |
| | | I. |
| Tree bubbl | | |
| | 1-2 | 1/2" |
| | 3.5 | 3/4" |
| | 6-9 | 14 |
| | 10:17 | 1.1/4" |
| | 13-20 | 11/2" |
| | 21-30 | T ^e |

Notes

- 1. All installation shall be in strict accordance with City of College Station, TCEQ and all additional Federal, state and local authorities.
- 2. All main line fittings shall be push on ductile iron. All fittings requiring a a change in direction shall also have joint restraints and either thrust blocks or additional joint restraints for a minimum of 30' each direction.
- 3. All lateral line fittings shall be SCH40 PVC solvent weld.
- All main line piping shall be CL200 PVC 1120/1220 gasketed.
- 5. All lateral line piping shall be CL200 PVC 1120/1220 solvent weld.
- 6. Piping is diagramatic. Contractor shall use best routing in field.
- 7. All main line piping shall have a minimum of 18" cover.
- 8. All sub main piping shall have a minimum of 12" cover.
- 9. All wire connections not at a valve or controller shall be placed in a 10" round (24v) or 12" rectangular (120v) valve box marked 'electric'.
- 10. All components shall be installed in strict accordance with manufacturer's specifications..
- 11. All 120v wiring shall be Tray wire, NEC UF approved. Wiring shall be THWN of the size indicated on the plans. All 120v wiring shall be installed by a licensed electrician.
- 12. All 24v 2 wire shall be Paige P7354.
- 13. All components shall be clearly marked for effluent use. All pipe shall be purple. All heads, valves and valve boxes shall be fitted with purple lids or covers. All components shall meet TCEQ and local requirements for the use of effluent water.







Midtown Center

Irrigation in Texas is regulated by the Texas Commission on Environmental Quality (TCEQ)(MC-178). P.O. Box 13087, Austin, TX 78711-3087. TCEQ'S website is www.tceq.state.tx.us

I, Les Hill, do hereby affirm that this plan conforms to all requirements of TCEQ.

Appendix B

TCEQ Forms

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

| APPLICANT(S): College Station Town Center, Inc. |
|---|
|---|

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are <u>not</u> required for every application).

| Y/N | | Y/I | N |
|-----|--|--------|-------------------------------------|
| Υ | Administrative Information Report | Υ | Worksheet 3.0 |
| N | Additional Co-Applicant Information | Υ | Additional W.S 3.0 for each Point |
| N | _Additional Co-Applicant Signature Pages | Υ | Recorded Deeds for Diversion Points |
| Υ | _Written Evidence of Signature Authority | Υ | Consent For Diversion Access |
| Υ | Technical Information Report | N | Worksheet 4.0 |
| Υ | _ USGS Map (or equivalent) | N | TPDES Permit(s) |
| Υ | _ Map Showing Project Details | N | WWTP Discharge Data |
| Υ | _Original Photographs | N | 24-hour Pump Test |
| N | _Water Availability Analysis | Υ | Groundwater Well Permit |
| Υ | Worksheet 1.0 | N | Signed Water Supply Contract |
| Υ | _Recorded Deeds for Irrigated Land | Υ | Worksheet 4.1 |
| Υ | _Consent For Irrigation Land | Υ | Worksheet 5.0 |
| N | Worksheet 1.1 | Υ | Addendum to Worksheet 5.0 |
| N | Addendum to Worksheet 1.1 | N | Worksheet 6.0 |
| N | Worksheet 1.2 | N | Water Conservation Plan(s) |
| N | Addendum to Worksheet 1.2 | N | Drought Contingency Plan(s) |
| Υ | Worksheet 2.0 | N | Documentation of Adoption |
| Υ | Additional W.S 2.0 for Each Reservoir | N | Worksheet 7.0 |
| Υ | _Dam Safety Documents | N | Accounting Plan |
| N | _Notice(s) to Governing Bodies | Υ | Worksheet 8.0 |
| Υ | _Recorded Deeds for Inundated Land | Υ | Fees |
| Y | _Consent For Inundation Land | | |
| 1 | Commission Use Only: posed/Current Water Right Number: Watermaster area Y/ | N: | |

ADMINISTRATIVE INFORMATION REPORT

The following information is required for all new applications and amendments.

***Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.

| 1. | TYPE OF APPLICATION (Instructions, Page. 6) |
|---|---|
| Indic | cate, by marking X, next to the following authorizations you are seeking. |
| | XNew Appropriation of State Water |
| | Amendment to a Water Right * |
| | X Bed and Banks |
| ownomate co-ov be re recov subn | ou are seeking an amendment to an existing water rights authorization, you must be the er of record of the authorization. If the name of the Applicant in Section 2, does not the the name of the current owner(s) of record for the permit or certificate or if any of the wners is not included as an applicant in this amendment request, your application could eturned. If you or a co-applicant are a new owner, but ownership is not reflected in the rds of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to nitting the application for an amendment. See Instructions page. 6. Please note that an adment application may be returned, and the Applicant may resubmit once the change of ership is complete. |
| | se summarize the authorizations or amendments you are seeking in the space below or th a narrative description entitled "Summary of Request." |
| See | attached "Summary of Request". |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

2. APPLICANT INFORMATION (Instructions, Page. 6)

a.

| Applicant | | |
|---|------------------------------------|---|
| Indicate the number of App (Include a copy of this secti | olicants/Co-App ion for each Co | olicants <u>1</u> -Applicant, if any) |
| What is the Full Legal Name | of the individua | al or entity (applicant) applying for this permit? |
| College Station Town Center | er, Inc. | |
| (If the Applicant is an entity, Secretary of State, County, o | | must be spelled exactly as filed with the Texas cuments forming the entity.) |
| You may search for your CN | on the TCEQ w | the TCEQ, what is the Customer Number (CN)? ebsite at fm?fuseaction=cust.CustSearch |
| CN : | (leave | blank if you do not yet have a CN). |
| application is signed by an i | ndividual applic | persons signing the application? Unless an cant, the person or persons must submit written rements in $30\ TAC\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ $ |
| First/Last Name: James I | Murr | |
| Title: President | | |
| Have you provided writte 295.14, as an attachment | | eting the signatory requirements in 30 TAC § tion? |
| What is the applicant's maili may verify the address on the https://tools.usps.com/go/Z | ie USPS website | |
| Name: College Station To | own Cente | |
| Mailing Address: 4121 St | | h, St |
| City: College Station | State: TX | ZIP Code: 77845 |
| Indicate an X next to the typ | e of Applicant: | |
| | | od at analysis D.D.A |
| Individual | Sole Prop | rietorship-D.B.A. |
| Individual Partnership | Sole Prop X Corporati | _ |
| | | _ |
| Partnership | X_Corporati | on |
| Partnership Trust | X_Corporati | ernment |

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Andy Boswell

Title: Principal

Organization Name: Compass Environmental So

Mailing Address: 1625 Cottonwood School R

City: Rosenberg State: TX ZIP Code: 77471

Phone No.: **832-595-9064** Extension: **NA**

Fax No.: -mail Addres

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and all owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name: NA

Title: NA

Organization Name: NA

Mailing Address: NA

City: NA State: NA ZIP Code: NA

Phone No.: NA Extension: NA

Fax No.: NA E-mail Address: NA

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

- a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.
 - 1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No NO** If **yes**, provide the following information:

Account number: NA Amount past due: NA

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? Yes / No NO If yes, please provide the following information:

Enforcement order number: NA Amount past due: NA

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at https://mycpa.cpa.state.tx.us/coa/

Is the Applicant or Co-Applicant in good standing with the Comptroller? Yes / No YES

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use – if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

Applicant has submitted all required TWDB surveys of groundwater and surface water? Yes / No NA

| 6. SIGNATURE PAGE (Instructions, Page | ge. 11) | | | |
|--|---|--|--|--|
| Applicant: | | | | |
| _{I.} James Murr | President | | | |
| (Typed or printed name) | (Title) | | | |
| 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. | | | | |
| I further certify that I am authorized under Title 30 T and submit this document and I have submitted writt | en evidence of my signature authority. | | | |
| Signature: | Date: | | | |
| (Use blue ink) | | | | |
| Subscribed and Sworn to before me by the said on this | Fluray, 20, 28. | | | |
| Cyntrica Rohrs Notary Public | CYNTHIA A. ROBINSON Notery Public, State of Texas | | | |

If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page

Notary ID 132299038

TECHNICAL INFORMATION REPORT WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicant are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N (If yes, date:______).

1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / $N_{\underline{Y}}$
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N_{N} (If yes, indicate the Certificate or Permit number: NA)

If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N^{N}

| c. | Applicant re | quests to extend an existing Term authorization or to make the right permanent |
|----|------------------|--|
| | Y/N ^N | (If yes, indicate the Term Certificate or Permit number: NA |

If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:

- Worksheet 1.0 Quantity, Purpose, and Place of Use Information Worksheet
- Worksheet 2.0 Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir requested in the application)
- Worksheet 3.0 Diversion Point Information Worksheet (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- Worksheet 5.0 Environmental Information Worksheet
- Worksheet 6.0 Water Conservation Information Worksheet
- Worksheet 7.0 Accounting Plan Information Worksheet
- Worksheet 8.0 Calculation of Fees
- Fees calculated on Worksheet 8.0 see instructions Page. 34.
- Maps See instructions Page. 15.
- Photographs See instructions Page. 30.

Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).

Additional Documents and Worksheets may be required (see within).

2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.

| 1110 | mon actions page. of | | | |
|------|---|---|--|--|
| Wa | ater Right (Certificate or Permit) number you a | re requesting to amend: NA | | |
| | oplicant requests to sever and combine existing extificates into another Permit or Certificate? | | | |
| L | ist of water rights to sever | Combine into this ONE water right | | |
| N | A | NA | | |
| a. | Applicant requests an amendment to an exist appropriation of State Water (diversion and/o | | | |
| | If yes, application is a new appropriation for Report (PAGE. 1) regarding New or Addition | the increased amount, complete Section 1 of this nal Appropriations of State Water . | | |
| b. | Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N $^{\rm N}$ | | | |
| | If yes, application is a new appropriation for Report (PAGE. 1) regarding New or Addition | | | |
| c. | Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N_{N} If yes, submit: | | | |
| | Worksheet 1.0 - Quantity, Purpose, and Worksheet 1.2 - Notice: "Marshall Criteri | | | |
| d. | Applicant requests to change: diversion point <i>If yes, submit:</i> | t(s); or reach(es); or diversion rate? Y / $N_{\underline{N}}$ | | |
| | Worksheet 3.0 - Diversion Point Information for each diversion point or one works worksheet for the downstream limit of each diversion. | heet for the upstream limit and one | | |

Worksheet 5.0 - Environmental Information (Required for any new diversion

e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N N

If yes, submit: Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one

worksheet for each impoundment or reservoir)

points that are not already authorized in a water right)

| f. | Other - Applicant requests to change any provision of an authorization not mentioned |
|----|--|
| | above? Y / N_{N} If yes, call the Water Availability Division at (512) 239-4600 to |
| | discuss. |
| Ad | dditionally, all amendments reauire: |

- Worksheet 8.0 Calculation of Fees; and Fees calculated see instructions Page. 34
- Maps See instructions Page. 15.
- Additional Documents and Worksheets may be required (see within).

3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). Y/NN

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:

- 1. Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or
- 2. Seller must amend its underlying water right under Section 2.
- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / $N_{_N}$

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps and fees from the list below.

c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). Y / N $^{\rm N}$

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). Y / N_{\odot}

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.

*Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.

e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). $\mathbf{Y} / \mathbf{N}_{\underline{\ }}^{\underline{\ }}$

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below. Worksheets and information:

- Worksheet 1.0 Quantity, Purpose, and Place of Use Information Worksheet
- Worksheet 2.0 Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- Worksheet 4.0 Discharge Information Worksheet (for each discharge point)

- Worksheet 5.0 Environmental Information Worksheet
- Worksheet 6.0 Water Conservation Information Worksheet
- Worksheet 7.0 Accounting Plan Information Worksheet
- Worksheet 8.0 Calculation of Fees; and Fees calculated see instructions Page. 34
- Maps See instructions Page. 15.
- Additional Documents and Worksheets may be required (see within).

| 4. | General Information, Response Required for all Water R | light |
|----|--|-------|
| | Applications (Instructions, Page 15) | |

| a. | mar water alter for a num the | wide information describing how this application addresses a water supply need in a mer that is consistent with the state water plan or the applicable approved regional er plan for any area in which the proposed appropriation is located or, in the mative, describe conditions that warrant a waiver of this requirement (not required applications to use groundwater-based return flows). Include citations or page abers for the State and Regional Water Plans, if applicable. Provide the information in space below or submit a supplemental sheet entitled "Addendum Regarding the State Regional Water Plans": |
|----|--|---|
| | 9 | N/A: Groundwater sourced from private water wells. This application will not be inconsistent with the state or regional water plan. |
| | 9 | |
| | ã | |
| b. | | the Applicant perform its own Water Availability Analysis? Y / N N N If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports. |
| c. | Doe | s the application include required Maps? (Instructions Page. 15) Y / $N_{\underline{Y}}$ |

WORKSHEET 1.0 Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

| Quantity (acre- feet) (Include losses for Bed and Banks) | State Water Source (River Basin) or Alternate Source *each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0 | Purpose(s) of Use | Place(s) of Use *requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer |
|--|---|-------------------|--|
| 130 | Yegua-Jackson Aquifer | Recreational | Brazos County, Texas (10.6 acres) |
| 20 | Reservoir 1: Reservoir pool | Agricultural | Brazos County, Texas (5.2 acres within 2 parcels totaling 7.5 acres) |
| | | | |

Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

- a. Location Information Regarding the Lands to be Irrigated
 - i) Applicant proposes to irrigate a total of $\frac{10.6}{}$ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of $\frac{10.6}{}$ acres in $\frac{Brazos}{}$ County, TX.
 - ii) Location of land to be irrigated: In the Thomas Caruthers Original Survey No. Abstract No. 9

A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds.

If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

2. Amendments - Purpose or Place of Use (Instructions, Page. 12)

Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

| Quantity (acre- feet) | Existing Purpose(s) of Use | Proposed Purpose(s) of Use* | Existing Place(s) of Use | Proposed Place(s) of Use** |
|-----------------------------|----------------------------------|--------------------------------|-----------------------------|-------------------------------|
| | | | | |
| | | | | |
| | | | | |

^{*}If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."

Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.

For any request which adds Agricultural purpose of use or changes the place of use for

| | Agricultural rights, provide the following location is rrigated: | nformation regarding the lands to be |
|-----|---|--------------------------------------|
| i. | Applicant proposes to irrigate a total of all of or part of a larger tract(s) which is de application and contains a total of | |
| ii. | County, TX. Location of land to be irrigated: In the | Original Survey No. |

______, Abstract No.9 ______. A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

^{**}If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."

WORKSHEET 1.1 INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N_{\perp}

| 1. Interbasin Transfer Request (Instructions, Page. 20) | |
|--|--|
| a. Provide the Basin of Origin. NA | |
| b. Provide the quantity of water to be transferred (acre-feet). NA | |
| c. Provide the Basin(s) and count(y/ies) where use will occur in the space below: ${\sf NA}$ | |

2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N_{NA}
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N NA
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N_{NA}
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N_{NA}

3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website:

 (http://www.twdb.texas.gov/waterplanning/swp/index.asp);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

WORKSHEET 1.2 NOTICE. "THE MARSHALL CRITERIA"

This worksheet assists the Commission in determining notice required for certain **amendments** that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant **is required** to submit for such amendments which include changes in use, changes in place of use, or other non-substantive changes in a water right (such as certain amendments to special conditions or changes to off-channel storage). These criteria address whether the proposed amendment will impact other water right holders or the onstream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

This worksheet is **not required for Applications in the Rio Grande Basin** requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.

This worksheet is **not required for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization**. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria

1. The "Marshall Criteria" (Instructions, Page. 21)

Submit responses on a supplemental attachment titled "Marshall Criteria" in a manner that conforms to the paragraphs (a) – (g) below:

- a. <u>Administrative Requirements and Fees.</u> Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. <u>Beneficial Use.</u> Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. <u>Public Welfare</u>. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. <u>Groundwater Effects.</u> Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. <u>State Water Plan.</u> Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:

 http://www.twdb.texas.gov/waterplanning/swp/index.asp.
- f. <u>Waste Avoidance</u>. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. <u>Impacts on Water Rights or On-stream Environment.</u> Explain how proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0 Impoundment/Dam Information

This worksheet **is required** for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g. maps).

| 1 | . Storage Information (Instructions, Page. 21) |
|----|--|
| a. | Official USGS name of reservoir, if applicable: NA: Un-named Tributary to Lick Creek |
| э. | Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 20 |
| | The impoundment is on-channel <u>×</u> or off-channel_ (mark one) |
| | i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N Y N |
| d. | Is the impoundment structure already constructed? Y / $N_{\underline{Y}}$ |
| | i. For already constructed on-channel structures: |
| | 1. Date of Construction: December 2019 |
| | 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N N A a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N N A b. If No, has the structure been issued a notice of violation by TCEQ? Y / N N |
| | 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y/NN a. If yes, provide the Site NoNA and watershed project name_NA; b. Authorization to close "ports" in the service spillway requested? Y/N_NA |
| | ii. For any proposed new structures or modifications to structures: |
| | Applicant must contact TCEQ Dam Safety Section at (512) 239-0326, prior to submitting an Application. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / NY Provide the date and the name of the Staff Person 9/9/2021; Mr. Warren Samuelson |
| | 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that: a. No additional dam safety documents required with the Application. Y / N N Decrease Decr |

required. Y / N_N

| | iii. | Additional information required for on-channel storage: | |
|--------|--|---|----|
| | | 1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 5.2 | |
| | | 2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N Y If yes, the drainage area is 0.23 sq. miles. (If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600). | ã |
| 2. | Strue | cture Location (Instructions, Page. 23) | |
| a. On | Waterco | ourse (if on-channel) (USGS name): Un-named Tributary to Lick Creek | |
| b. Zip | Code: <u>7</u> | 77845 | |
| | | Original Survey No. A , Abstract No. 9 County, Texas. | _, |
| | subm inund **If th or wil docur right | he Applicant is not currently the sole owner of the land on which the structure is ll be built and sole owner of all lands to be inundated, Applicant must submit mentation evidencing consent or other documentation supporting Applicant's to use the land described. | ie |
| d. A p | oint on nnel) is: | the centerline of the dam (on-channel) or anywhere within the impoundment (off- | |
| | Latitu | ide_30.577787 | |
| | *Prov place: | vide Latitude and Longitude coordinates in decimal degrees to at least six decimal is | ! |
| di. | | te the method used to calculate the location (examples: Handheld GPS Device, GIS, ng Program): Handheld GPS | |
| dii. | | ubmitted which clearly identifies the Impoundment, dam (where applicable), and nds to be inundated. See instructions Page. 15. Y / $N_{\underline{\ }}$ | |
| | | | |

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must

submit a copy of all the notices and certified mailing cards with this

Application. Notices and cards are included? Y / N_{N}

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet **is required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g. maps).

| | Divers | sion Information (Instructions, Page. 24 | 1) | |
|--|------------------------------------|---|------------------------------|--|
| a. | This Works | heet is to add new (select 1 of 3 below): | | |
| | 2Upst | rsion Point No. ream Limit of Diversion Reach No. nstream Limit of Diversion Reach No. | | |
| b. | | Rate of Diversion for this new point gpm (gallons per minute) | _cfs (cubic feet per second) | |
| c. | If yes, si | oint share a diversion rate with other points? Y / N <i>ubmit Maximum Combined Rate of Diversion for al eaches</i> gpm | | |
| d. | ** An in | ments, is Applicant seeking to increase combined of crease in diversion rate is considered a new appropion of Section 1, New or Additional Appropriation of | riation and would require | |
| e. Check $()$ the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed): | | | | |
| | Check one | | Write: Existing or Proposed | |
| | | | | |
| | | Directly from stream | | |
| | $\sqrt{}$ | Directly from stream From an on-channel reservoir | Proposed | |
| | √ | , | Proposed | |
| | √ | From an on-channel reservoir | Proposed | |
| f. | Based on the above the drainage an | From an on-channel reservoir From a stream to an on-channel reservoir Other method (explain fully, use additional sheets if necessary) ne Application information provided, Staff will calculate a company of the property of the provided | rulate the drainage area | |
| f. | Based on the above the drainage an | From an on-channel reservoir From a stream to an on-channel reservoir Other method (explain fully, use additional sheets if necessary) ne Application information provided, Staff will calculous point (or reach limit). If Applicant wishes | rulate the drainage area | |

Diversion Location (Instructions, Page 25) 2. a. On watercourse (USGS name): Un-named Tributary to Lick Creek b. Zip Code: 77845 c. Location of point: In the Thomas Caruthers Original Survey No. A. Abstract Brazos County, Texas. A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access. d. Point is at: Latitude 30.577787 °N, Longitude 96.268377 °W. Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Handheld GPS device f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.

g. If the Plan of Diversion is complicated and not readily discernable from looking at the

map, attach additional sheets that fully explain the plan of diversion.

WORKSHEET 4.0 DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. **Instructions Page. 26.** *Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC*, *Chapter 26 or any other applicable law*.

| | Agricultural |
|----------|--|
| a. | The purpose of use for the water being discharged will be Agricultural |
| b. | Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses 17 % and explain the method of calculation: Estimated loss is 22.2%; estimate is based on information provided by TCEQ according to their Water Availability Modeling (WAM) data. Data indicates an annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water annual loss of approximately 22.2-acre feet of water within the 5.2-acre reservoir annually on their water and the second loss of approximately 22.2-acre feet of water water and the second loss of approximately 22.2-acre feet of water water and the second loss of approximately 22.2-acre feet of water water and the second loss of approximately 22.2-acre feet of water water and the second loss of approximately 22.2-acre feet of water |
| | Is the source of the discharged water return flows? $Y/N_{\underline{N}}$ If yes, provide the following information: |
| | 1. The TPDES Permit Number(s). NA (attach a copy of the current TPDES permit(s)) |
| | 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N NA |
| su ap | EASE NOTE: If Applicant is not the discharger of the return flows, the application should be bmitted under Section 1, New or Additional Appropriation of State Water, as a request for a new propriation of state water. If Applicant is the discharger, then the application should be bmitted under Section 3, Bed and Banks. |
| | 3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0"). |
| | 4. The percentage of return flows from groundwater, surface water? |
| | 5. If any percentage is surface water, provide the base water right number(s) |
| c. | Is the source of the water being discharged groundwater? Y / $N_{}$ If yes, provide the following information: |
| | 1. Source aquifer(s) from which water will be pumped: Yegua-Jackson |
| | 2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See http://www.twdb.texas.gov/groundwater/data/gwdbrpt.asp. Additionally, provide well numbers or identifiers Well #2 (BVDO-0272) |
| | Indicate how the groundwater will be conveyed to the stream or reservoir. Groundwater will be conveyed from the wellhead to the reservoir by hose along the perimeter of the reservoir. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required. |
| ci. | Is the source of the water being discharged a surface water supply contract? Y / N N N N N N N N N N N N N N N N N N |
| cii. | Identify any other source of the water NA |

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

This worksheet is required for **each** discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g. maps). **Instructions, Page 27.**

| For water discharged at this location provide | ovide | location | this | at | discharged | water | For |
|---|-------|----------|------|----|------------|-------|-----|
|---|-------|----------|------|----|------------|-------|-----|

| a. | The amount of water that will be discharged at this point is 130 acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses. |
|----|---|
| b. | Water will be discharged at this point at a maximum rate ofcfs or _320gpm. |
| c. | Name of Watercourse as shown on Official USGS maps: Un-named Tributary to Lick Creek |
| | Zip Code 77845 Location of point: In the Thomas Caruthers Original Survey No. A , Abstract No. 9 , Brazos County, Texas. Point is at: Latitude 30.577787 °N, Longitude -96.268377 °W. |
| h. | *Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): Handheld GPS |

Map submitted must clearly identify each discharge point. See instructions Page. 15.

WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

| Indica aquat | section is required for any new diversion point that is not already authorized. ate the measures the applicant will take to avoid impingement and entrainment of ic organisms (ex. Screens on any new diversion structure that is not already orized in a water right). Instructions, Page 29. |
|-----------------|--|
| | Screens will be used to cover all intake hose mouths to prevent impingement and entrainment of aquetic organisms. Exact dimensions of the screen mesh size are unknown at this time but appropriate measures will be implemented. |
| 2. | New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s) |
| Sulph | section is required for new appropriations of water in the Canadian, Red, our, and Cypress Creek Basins and in all basins for requests to change a sion point. Instructions, Page 30. |
| | iption of the Water Body at each Diversion Point or Dam Location. (Provide an onmental Information Sheet for each location), |
| a. Ide | ntify the appropriate description of the water body. |
| | ■ Stream |
| | ■ Reservoir |
| | Average depth of the entire water body, in feet: 5 feet |
| | □ Other, specify: |
| b. Flo | w characteristics |
| | If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one). |
| | ■ Intermittent - dry for at least one week during most years |
| | ☐ Intermittent with Perennial Pools – enduring pools |
| | ☐ Perennial – normally flowing |
| | Check the method used to characterize the area downstream of the new diversion location. |
| | □ USGS flow records |

☐ Historical observation by adjacent landowners
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| Personal observation |
|---|
| □ Other, specify: |
| c. Waterbody aesthetics |
| Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments. □ Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional |
| □ Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored |
| Common Setting: not offensive; developed but uncluttered; water may be colored or turbid |
| ☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored |
| d. Waterbody Recreational Uses |
| Are there any known recreational uses of the stream segments affected by the application? |
| ☐ Primary contact recreation (swimming or direct contact with water) |
| ☐ Secondary contact recreation (fishing, canoeing, or limited contact with water) |
| □ Non-contact recreation |
| Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0: |
| Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the ma |

- ap submitted with the application indicating the location of the photograph and the direction of the shot.
- 2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - A description of how any impacts to wetland habitat, if any, will be iii. mitigated if the reservoir is greater than 5,000 acre-feet.

3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.
- b. For all alternate source applications:
 - i. If the alternate source is treated return flows, provide the TPDES permit number NA
 - ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide: Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

| Parameter | Average Conc. | Max Conc. | No. of | Sample Type | Sample |
|---------------|---------------|-----------|---------|-------------|-----------|
| | | | Samples | | Date/Time |
| Sulfate, mg/L | | | | | |
| Chloride, | | | | | |
| mg/L | | | | | |
| Total | | | | | |
| Dissolved | | | | | |
| Solids, mg/L | | | | | |
| pH, standard | | | | | |
| units | | | | | |
| Temperature*, | | | | | |
| degrees | | | | | |
| Celsius | | | | | |

^{*} Temperature must be measured onsite at the time the groundwater sample is collected.

iii. If groundwater will be used, provide the depth of the well 671 ft & 360 feet and the name of the aquifer from which water is withdrawn Yegua-Jackson .

WORKSHEET 6.0 Water Conservation/Drought Contingency Plans

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans. **Instructions, Page 31.**

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

- a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture including irrigation, wholesale):
 - 1. Request for a new appropriation or use of State Water.
 - 2. Request to amend water right to increase appropriation of State Water.
 - 3. Request to amend water right to extend a term.
 - 4. Request to amend water right to change a place of use.

 *does not apply to a request to expand irrigation acreage to adjacent tracts.
 - 5. Request to amend water right to change the purpose of use. *applicant need only address new uses.
 - 6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water

*including return flows, contract water, or other State Water.

3. Agricultural Use, including irrigation. See 30 TAC § 288.4.

| b. | | cant is requesting any authorization in section (1)(a) above, indicate each use for applicant is submitting a Water Conservation Plan as an attachment: |
|----|----|--|
| | 1. | Municipal Use. See 30 TAC § 288.2. ** |
| | 2. | Industrial or Mining Use. See 30 TAC § 288.3. |

4. _____Wholesale Water Suppliers. See 30 TAC § 288.5. **

**If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? Y / N_{NA}

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development. See 30 TAC § 288.7. Applicant has included this information in each applicable plan? Y / N $\underline{\text{NA}}$

| 2. | Drought | Contingency | Plans |
|----|---------|-------------|--------------|
| | 22000 | Comment | |

| a. | A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above – indicate each that applies: |
|----|---|
| | 1Municipal Uses by public water suppliers. See 30 TAC § 288.20. |
| | 2Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21. |
| | 3Wholesale Water Suppliers. See 30 TAC § 288.22. |
| b. | If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (<i>ordinance, resolution, or tariffetc. See 30 TAC § 288.30</i>) $\mathbf{Y} / \mathbf{N}_{NA}$ |

WORKSHEET 7.0 ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

2. Accounting Plan Requirements

a. A **text file** that includes:

- 1. an introduction explaining the water rights and what they authorize;
- 2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
- 3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
- 4. Should provide a summary of all sources of water.

b. A **spreadsheet** that includes:

- 1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
- 2. Method for accounting for inflows if needed;
- 3. Reporting of all water use from all authorizations, both existing and proposed:
- 4. An accounting for all sources of water;
- 5. An accounting of water by priority date;
- 6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
- 7. Accounting for conveyance losses;
- 8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
- 9. An accounting for spills of other water added to the reservoir; and
- 10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

WORKSHEET 8.0 CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

1. NEW APPROPRIATION

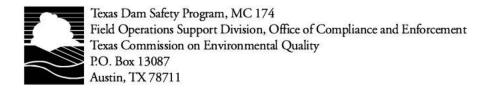
| | Description | Amount (\$) |
|-----------------------------|---|-------------|
| | Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$). | 100.00 |
| | <u>In Acre-Feet</u> | |
| Filing Fee | a. Less than 100 \$100.00 | |
| _ | b. 100 - 5,000 \$250.00 | |
| | c. 5,001 - 10,000 \$500.00 | |
| | d. 10,001 - 250,000 \$1,000.00 | |
| | e. More than 250,000 \$2,000.00 | |
| Recording Fee | | \$25.00 |
| Agriculture Use Fee | Only for those with an Irrigation Use. Multiply 50¢ xNumber of acres that will be irrigated with State Water. ** | |
| | Required for all Use Types, excluding Irrigation Use. | |
| Use Fee | Multiply $1.00 x$ Maximum annual diversion of State Water in acrefeet. ** | |
| Degraptional Storage | Only for those with Recreational Storage. | \$20.00 |
| Recreational Storage Fee | Multiply \$1.00 x^{20} acre-feet of in-place Recreational Use State Water to be stored at normal max operating level. | Ψ20.00 |
| | Only for those with Storage, excluding Recreational Storage. | |
| Storage Fee | Multiply 50¢ xacre-feet of State Water to be stored at normal max operating level. | |
| Mailed Notice | Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600. | \$997.34 |
| | TOTAL | \$ 1,142.34 |

2. AMENDMENT OR SEVER AND COMBINE

| | Description | Amount (\$) |
|---|---|-------------|
| F212 F | Amendment: \$100 | |
| Filing Fee | OR Sever and Combine: \$100 x of water rights to combine | |
| Recording Fee | | \$12.50 |
| Mailed Notice Additional notice fee to be determined once application is submitted. | | |
| | TOTAL INCLUDED | \$ |

3. BED AND BANKS

| JI DED THID DE HILL | | |
|----------------------|---|-------------|
| | Description | Amount (\$) |
| Filing Fee | | \$100.00 |
| Recording Fee | | \$12.50 |
| Mailed Notice | Additional notice fee to be determined once application is submitted. | |
| | TOTAL INCLUDED | \$ 112.50 |



INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

| SECTION 1: OWNER INFORMATION | | |
|--|--|--|
| Owner's Name Mr. James Murr | TitlePresident | |
| Organization College Station Town Center | , Inc | |
| <i>(C:</i> | | |
| (Signature of O | | |
| and the second s | 200 TY 77845 | |
| | State TX Zip Code 77845 | |
| | Emergency Contact Phone (979) 739-7237 | |
| | E-mail James@impactcos.com | |
| | □ Local Government (L) □ Utility (U) ☑ Private (P) □ State (S) ease specify: | |
| Year Built Pre-1961 | Year Modified | |
| | agmentation 🖾 Diversion 🗅 Domestic 🗀 Erosion Control | |
| | re Control | |
| | aste Disposal Other, please specify: | |
| Engineering Firm EHRA Engineering | attaline this was for the Prince to State and Albertania (Special Special Spec | |
| | Texas P.E. License Number _ 111568 | |
| HE STORES OF THE | n Lane | |
| | State TX Zip Code 77042 | |
| Phone (713) 784-4500 | | |
| E-mail EHRAInc.com | | |
| | | |
| SECTION 2: GENERAL INFORMATION | N | |
| Name of Dam N/A | | |
| Other Name(s) of Dam N/A | | |
| Reservoir Name N/A | | |
| Location Midtown City Community | Latitude 30.577792N Longitude -96.268384W | |
| • | Stream Name Un-named tributary to Lick Creek | |
| River Basin Lower Brazos Topographic Map No. Wellborn, TX; o30096e3 | | |
| Distance & Direction from Nearest City or Town | 5.25 miles south-southeast from College Station | |
| Last Inspection Date N/A Inspected by (name of company or agency) N/A | | |
| TX Number N/A | Water Rights Number <u>N/A</u> | |
| Date of Emergency Action Plan (EAP), if one ex | ists N/A | |
| Describe the current operating condition of dam | The operating condition of the dam/spillway is good. | |

If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

SECTION 3: INFORMATION ON DAM

| Classification |
|--|
| Size Classification: |
| Hazard Classification: High Significant Low |
| Number of People at Risk0 Study YearN/A |
| Type of Dam: ☐ Concrete ☐ Gravity ☐ Earthfill ☐ Rockfill ☐ Masonry ☐ Other (specify) |
| Dam Structure (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre): |
| Spillway Height ft (natural surface of ground to bottom of emergency spillway at longitudinal centerline) |
| Embankment Height _0.5 ft ft (natural surface of ground to crest of dam at centerline) |
| Structural Height 0.5 ft ft (bottom of cutoff trench to crest of dam at centerline) |
| Length of Dam ft |
| Normal Pool Elevation 276.0 ft-MSL Principal Spillway Elevation 276.5 ft-MSL |
| Emergency Spillway Elevation 276.5 ft-MSL Top of Dam Elevation 276.5 ft-MSL |
| Embankment Volume vu yd |
| Maximum Impoundment Capacity 20.5 ac-ft (at top of dam) |
| Normal Reservoir Capacity 20.0 ac-ft (at normal or conservation pool) |
| Reservoir Surface Area 5.2 acres (at normal or conservation pool) |
| |
| Outlet |
| Outlet Diameter: N/A in ft (check one) |
| Type:N/A |
| Principal Spillway |
| Type: □ Natural □ Riprap □ CMP □ RCP □ Other |
| Width (Diam.): |
| |
| Emergency Spillway Type: Natural Riprap Concrete CMP RCP Other |
| Width (Diam.):ft Capacity:cfs |
| Total Spillway Capacity:cfs (crest of the dam) |
| iotal Spillway Capacity:cis (crest of the dam) |
| SECTION 4: HYDROLOGIC INFORMATION |
| Required Hydrologic Criteria (% PMF) N/A % PMF Passing N/A |
| PMF Study Year N/A |
| Drainage Area:sq mi |
| Curve Number (AMC III condition) N/A |
| Time of Concentration N/A hr |
| Peak Discharge N/A cfs |
| Peak Stage N/A ft-MSL |
| Storm Duration Causing Peak Stage N/A hr |



Texas Commission on Environmental Quality

Water Availability Division MC-160, P.O. Box 13087 Austin, Texas 78711-3087 Telephone (512) 239-4600, FAX (512) 239-2214

System Inventory and Water Conservation Plan for Individually-Operated Irrigation Systems

This form is provided to assist entities in developing a water conservation plan for individually-operated irrigation systems. If you need assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Additional resources such as best management practices (BMPs) are available on the Texas Water Development Board's website http://www.twdb.texas.gov/conservation/BMPs/index.asp. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

| Name: | James Murr |
|--------------------|---|
| Address: | 4121 State Hwy 6 South, Suite 200 College Station, TX 77845 |
| Telephone Number: | (979)985-5610 Fax: () |
| Form Completed By: | Andy Boswell - Compass Environmental Solutions, LLC |
| Title: | Principal - Senior Scientist |
| Signature: | Andy Boswell Date: 02/12/2024 |
| _ | |

A water conservation plan for agriculture use (individual irrigation user) must include the following requirements (as detailed in 30 TAC Section 288.4). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

TCEQ-10238 (Rev. 06/2019) Page 1 of 4

I. BACKGROUND DATA

A. Water Use

- 1. Annual diversion appropriated or requested (in acre-feet): 110
- 2. In the table below, list the amount of water (in acre-feet) that is or will be diverted monthly for irrigation during the year.

| January | February | March | April |
|-----------|----------|---------------------|----------|
| 8 | 8 | 9 | 10 |
| May | June | July | August |
| 10 | 10 | 10 | 10 |
| September | October | November | December |
| 10 | 9 | 8 | 8 |
| | | Total All Months | 110 |

3. In the table below, list the type of crop(s), growing season, and acres irrigated per year.

| Type of crop | Growing Season (Months) | Acres irrigated/year |
|--------------|----------------------------|-------------------------|
| Sodgrass | 8.5 | 9.1 |
| Shrubs | 10 | 5 |
| Trees | 10 | 1 |
| | | |
| | Total acres irrigated | 10.6 |

4. Are crops rotated seasonally or annually? \square Yes X No

If yes, please describe:

5. Describe soil type (including permeability characteristics, if applicable).

Fine sandy loam, very slowly permeable.

B. Irrigation system information

1. Describe the existing irrigation method or system and associated equipment including pumps, flow rates, plans, and/or sketches of system the layout. Include the rate (in gallons per minute or cubic feet per second) that water is diverted from the source of supply. If this WCP is submitted as part of a water right application, verify that the diversion volumes and rates are consistent with those in the application.

See attached Irrigation As-Built plans. Irrigation water will be acquired at 320 gpm @ 80 psi.

TCEQ-10238 (Rev. 06/2019) Page 2 of 4

2. Describe the device(s) and/or method(s) used to measure and account for the amount of water diverted from the supply source, and verify the accuracy is within plus or minus 5%.

An Enduroscape pump will used to divert groundwater into a reservoir for irrigation use. An approved water meter with an accuracy within plus or minus 5% will be implemented.

3. Provide specific, quantified 5-year and 10-year targets for water savings including, where appropriate, quantitative goals for irrigation water use efficiency and a pollution abatement and prevention plan below in 3(a) and 3(b). Water savings may be represented in acre-feet or in water use efficiency. If you are not planning to change your irrigation system in the next five or ten years, then you may use your existing efficiencies or savings as your 5-year and /or 10-year goals. Please provide an explanation in the space provided below if you plan to use your existing efficiencies or savings.

Existing efficiencies will be utilized for the 5- & 10-year goals. A sprinkler system consisting of PGP and SRM rotors; tree bubblers, and pop-up sprayers will be installed with a max weekly application rate of 1.5-inches.

Quantified 5-year and 10-year targets for water savings:

a. 5-year goal:

Savings in acre-feet or system efficiency as a percentage 80 %

b. 10-year goal:

Savings in acre-feet or system efficiency as a percentage 80 %

(Examples of Typical Efficiencies for Various Types of Irrigation Systems - Surface: 50-80%; Sprinkler: 70-85%; LEPA: 80-90%; Micro-irrigation: 85-95%)

4. If there is an existing irrigation system, have any system evaluations been performed on the efficiency of the system?

☐ Yes X No

If yes, please provide the date of the evaluation, evaluator's name and the results of the evaluation:

C. Conservation practices

1. Describe any water conserving irrigation equipment, application system or method in the irrigation system (e.g., surge irrigation, low pressure sprinkler, drip irrigation, nonleaking pipe).

Low pressure, bubblers, pop-up irrigation system.

2. Describe any methods that will be used for water loss control and leak detection and repair.

Routine inspection and maintenance by grounds staff.

3. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (e.g. soil-moisture monitoring).

TCEQ-10238 (Rev. 06/2019) Page 3 of 4

Irrigation will only take place in the early morning or late evening hours.

4. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (e.g., land leveling, conservation tillage, furrow diking, weed control, terracing, etc.).

The land has been leveled and weed control measures will be implemented.

5. Describe any methods for recovery and reuse of tail water runoff.

Runoff would be downhill back into the reservoir.

6. Describe any other water conservation practices, methods, or techniques for preventing waste and achieving conservation.

The sodgrass to be irrigated is primarily bermudagrass, which is more drought tolerant than other sodgrass species. Tree and shrub species are drought tolerant pecies.

II. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

- 1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
- 2. evaluates conservation as an alternative to the proposed appropriation; and
- 3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.

The Applicant has had a licensed Texas Irrigator design this irrigation system to TCEQ requirements and with consideration with the water conservation goals of the water conservation plan that will conserve water to greatest amount practicable through water efficient, low-pressure sprinkler heads, bubblers and pop-up sprinkler heads; watering in the mornings and evenings to prevent evaporation losses; using only the recommended water volumes necessary to effectively operate the system; planting of drought tolerant vegetation; weed control; and leveling of the irrigation areas.

No other feasible alternatives are available to reduce the proposed water usage and the 110-acre-feet of water requested is the maximum anticipated volume needed and actual water use will likely be less than that volume dependent upon environmental conditions.

TCEQ-10238 (Rev. 06/2019) Page 4 of 4

Appendix C

Summary of Request

Summary of Request

College Station Town Center, Inc. (Applicant) seeks the necessary permit authorizations (i.e. Bed and Banks Permit and Diversion Permit) from the Texas Commission on Environmental Quality (TCEQ) under TWC § 11.042 for the diversion and the use of water sourced from two groundwater wells and instream flows from within an existing 5.2-acre, on-channel reservoir in College Station, Brazos County, Texas (see Attached Figures 1.0 through 4.0).

The 5.2-acre reservoir is an existing feature historically used for private agricultural use and is now proposed for recreational use and as source of water for a sprinkler system servicing approximately 10.6 acres of communal areas within a residential development. Improvements to the reservoir were made under Nationwide Permit 14 authorization by the United States Corps of Engineers and included construction of Town Lake Drive across the feature, enlargement of the reservoir, and construction of a concrete and rock filter dam spillway in the stream channel.

The two water wells installed adjacent to the reservoir (see attached Figures 3.0 and 4.0) will serve as sources of groundwater within the reservoir. The reservoir maximum storage capacity is approximately 20-acre-feet (6,517,020 gallons) and approximately 110-acre-feet (35,843,610 gallons) of water is anticipated annually for use. Discharge into the reservoir and intake from the reservoir will require flexibility in stationing; therefore, the Applicant proposes use of any location along the reservoir perimeter for discharges and intakes.

Appendix D

Addendum to Worksheet 5.0



Photo 1: View north of reservoir spillway at the proposed Discharge/Diversion Point.



Photo 2: View northeast of reservoir spillway at the proposed Discharge/Diversion Point.

Town Center Project Brazos County, Texas

Project No: 2174.03

Photo Date: 8/27/2021





Photo 3: View southwest of reservoir spillway at the proposed Discharge/Diversion Point.



Photo 4: View west of reservoir spillway at the proposed Discharge/Diversion Point.

Town Center Project Brazos County, Texas

Project No: 2174.03

Photo Date: 8/27/2021





Photo 5: View east of reservoir spillway and un-named tributary to Lick Creek at the proposed Discharge/Diversion Point.



Photo 6: View southeast (downstream) of the un-named tributary to Lick Creek near the proposed Discharge/Diversion Point.

Town Center Project Brazos County, Texas

Project No: 2174.03

Photo Date: 8/27/2021



Appendix E

Appraisal District Deed Information

Brazos CAD Property Search

Property ID: 413245 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 413245 |
| Legal Description: | A000901, THOMAS CARRUTHERS (ICL), TRACT 4.28, 70.7293 ACRES |
| Geographic ID: | 000901-0004-0028 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | 4200 ROCK PRAIRIE RD TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2295380F |
| Owner | |
| Owner ID: | 339066 |
| Name: | COLLEGE STATION TOWN CENTER INC |
| Mailing Address: | 4121 STATE HIGHWAY 6 S STE 200 COLLEGE STATION, TX 77845-8682 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$210,589 |
|---------------------------------|-------------|
| Improvement Non-Homesite Value: | \$24,389 |
| Land Homesite Value: | \$124,500 |
| Land Non-Homesite Value: | \$556,991 |
| Agricultural Market Valuation: | \$1,948,050 |
| Market Value: | \$2,864,519 |
| Ag Use Value: | \$7,263 |
| Appraised Value: | \$923,732 |
| Homestead Cap Loss: ② | \$0 |
| Assessed Value: | \$923,732 |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$2,864,519 | \$923,732 | \$4,938.44 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$2,864,519 | \$923,732 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$2,864,519 | \$923,732 | \$4,572.47 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$2,864,519 | \$923,732 | \$4,618.66 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$2,864,519 | \$923,732 | \$11,352.67 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$2,864,519 | \$923,732 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$2,864,519 | \$923,732 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$25,482.24 Estimated Taxes Without

Exemptions: \$79,021.14

■ Property Improvement - Building

Description: HOUSE Type: RESIDENTIAL State Code: E1 Living Area: 1,066.00sqft

Value: \$40,179

| Туре | Description | Class CD | Year Built | SQFT |
|------|-------------|----------|------------|----------|
| MA | MAIN AREA | RF1P | 1955 | 1,066.00 |
| СР | CARPORT | RF1P | 1955 | 488.00 |

Description: METAL BLDG Type: RESIDENTIAL State Code: E1 Living Area: 0.00sqft

Value: \$1,500

Description: HOUSE Type: RESIDENTIAL State Code: E1 Living Area: 740.00sqft Value:

\$22,889

| Туре | Description | Class CD | Year Built | SQFT |
|------|-------------|----------|------------|--------|
| MA | MAIN AREA | RF1 | 1935 | 740.00 |

Description: FARM BLDGS Type: RESIDENTIAL State Code: D2 Living Area: 0.00sqft

Value: \$1,500

Description: RESIDENTIAL Type: RESIDENTIAL State Code: E1 Living Area:

2,342.00sqft Value: \$165,410

| Туре | Description | Class CD | Year Built | SQFT |
|------|-----------------|----------|------------|----------|
| MA | MAIN AREA | RV3 | 1982 | 2,342.00 |
| DG | DETACHED GARAGE | RV3 | 1982 | 1,140.00 |
| OP | OPEN PORCH | RV3 | 1982 | 134.00 |
| OP | OPEN PORCH | RV3 | 1982 | 344.00 |

Description: OB CONC DRIVE Type: RESIDENTIAL State Code: E1 Living Area: 0.00sqft

Value: \$3,500

■ Property Land

| Type | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|----------------|---------|--------------|-----------|-----------|--------------|-------------|
| 1 | HOMESITE | 1 | 43,560.00 | 0.00 | 0.00 | \$84,000 | \$0 |
| 1 | HOMESITE | 1 | 43,560.00 | 0.00 | 0.00 | \$40,500 | \$0 |
| A2 | NATIVE PASTURE | 48.1 | 2,095,236.00 | 0.00 | 0.00 | \$1,948,050 | \$7,263 |
| 9 | >=5 ACRES | 20.6293 | 898,612.31 | 0.00 | 0.00 | \$556,991 | \$0 |

■ Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap Loss | Assessed |
|------|--------------|-------------|--------------|-----------|-------------|-----------|
| 2022 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2021 | \$234,978 | \$2,629,541 | \$7,263 | \$923,732 | \$0 | \$923,732 |
| 2020 | \$237,484 | \$2,629,541 | \$5,964 | \$924,939 | \$0 | \$924,939 |
| 2019 | \$228,950 | \$3,423,550 | \$10,100 | \$363,550 | \$0 | \$363,550 |
| 2018 | \$224,790 | \$3,877,490 | \$10,450 | \$336,040 | \$0 | \$336,040 |

■ Property Deed History

| Deed Date | Туре | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------|------------------|--|------------------------------------|--------|------|----------|
| 9/29/2017 | WD | WARRANTY DEED | COLLEGE STATION LAND INVESTMENT LP | COLLEGE STATION TOWN CENTER INC | 14296 | 025 | 01310616 |
| 3/30/2012 | WD | WARRANTY DEED | RITCHEY WILLIS S & PEGGY J | COLLEGE STATION LAND INVESTMENT LP | 10600 | 156 | 01115958 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Brazos CAD Property Search

Property ID: 426349 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 426349 |
| Legal Description: | MIDTOWN RESERVE PH 100, BLOCK 3, LOT PARKLAND A, B, C, D, ACRES 5.369 |
| Geographic ID: | 413800-1003-0000 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | TOLEDO BEND DR TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2248520A |
| Owner | |
| Owner ID: | 339450 |
| Name: | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC |
| Mailing Address: | % GREENS PRAIRIE INVESTORS LTD 1645 GREENS PRAIRIE RD W STE 204 COLLEGE STATION, TX 77845-8414 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|--------------------------------------|---------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$2,000 |
| Agricultural Market Valuation: | \$0 |
| Market Value: | \$2,000 |
| Ag Use Value: | \$0 |
| | \$2,000 |
| Appraised Value: | |
| Appraised Value: Homestead Cap Loss: | \$0 |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$2,000 | \$2,000 | \$10.69 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$2,000 | \$2,000 | \$9.90 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$2,000 | \$2,000 | \$10.00 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$2,000 | \$2,000 | \$24.58 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$55.17 Estimated Taxes Without

Exemptions: \$55.17

■ Property Improvement - Building

■ Property Land

| Type | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|-----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.545 | 23,740.20 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 2.182 | 95,047.92 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 2.186 | 95,222.16 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.456 | 19,863.36 | 0.00 | 0.00 | \$500 | \$0 |

■ Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap Loss | Assessed |
|------|--------------|-------------|--------------|-----------|-------------|----------|
| 2022 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2021 | \$0 | \$2,000 | \$0 | \$2,000 | \$0 | \$2,000 |
| 2020 | \$0 | \$268 | \$0 | \$268 | \$0 | \$268 |

■ Property Deed History

| Deed Date | Туре | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------|-------------|--|---|--------|------|---------|
| 8/16/2019 | PLAT | PLAT FILED | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | ROCK PRAIRIE MANAGEMENT DISTRICT NO 2 | 15518 | 139 | 1369906 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Brazos CAD Property Search

Property ID: 426392 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 426392 |
| Legal Description: | MIDTOWN RESERVE PH 102, BLOCK 4, LOT COMMON AREA 2, 5, 6 |
| Geographic ID: | 413800-1024-0000 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | TOLEDO BEND DR TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2248520A |
| Owner | |
| Owner ID: | 339450 |
| Name: | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC |
| Mailing Address: | % GREENS PRAIRIE INVESTORS LTD 1645 GREENS PRAIRIE RD W STE 204 COLLEGE STATION, TX 77845-8414 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|--|-------------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$500 |
| Agricultural Market Valuation: | \$0 |
| Mantrat Value | #500 |
| Market Value: | \$500 |
| Ag Use Value: | \$0 |
| | \$500 |
| Appraised Value: | |
| Appraised Value: Homestead Cap Loss: Output Description: | \$0 |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$500 | \$500 | \$2.67 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$500 | \$500 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$500 | \$500 | \$2.48 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$500 | \$500 | \$2.50 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$500 | \$500 | \$6.15 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$500 | \$500 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$500 | \$500 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$13.79 Estimated Taxes Without

Exemptions: \$13.79

■ Property Improvement - Building

■ Property Land

| Type | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.069 | 3,005.64 | 0.00 | 0.00 | \$0 | \$0 |
| 7 | <5 ACRES | 0.009 | 392.04 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.01 | 435.60 | 0.00 | 0.00 | \$0 | \$0 |
| 7 | <5 ACRES | 0.038 | 1,655.28 | 0.00 | 0.00 | \$0 | \$0 |
| 7 | <5 ACRES | 0.038 | 1,655.28 | 0.00 | 0.00 | \$0 | \$0 |

■ Property Roll Value History

| HS Ca | Appraised | Ag Valuation | /larket | Land N | provements | Year |
|-------|-----------|--------------|---------|--------|------------|------|
| | N/A | N/A | N/A | | N/A | 2022 |
| | \$500 | \$0 | \$500 | | \$0 | 2021 |
| | \$100 | \$0 | \$100 | | \$0 | 2020 |

■ Property Deed History

| Deed Date | Туре | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------|-------------|--|--|--------|------|---------|
| 10/2/2019 | PLAT | PLAT FILED | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | 15612 | 031 | 1374299 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

₽ Мар



■ Property Details

| Account | | | | |
|---------------------|---|--|--|--|
| Property ID: | 427049 | | | |
| Legal Description: | MIDTOWN CITY CENTER PH 301, BLOCK 1, LOT PARKLAND 01-03, ACRES .611 | | | |
| Geographic ID: | 413770-3011-0000 | | | |
| Agent: | | | | |
| Type: | Real | | | |
| Location | | | | |
| Address: | TOWN LAKE DR TX | | | |
| Map ID: | 570-196,570-198 | | | |
| Neighborhood CD: | H22000.C | | | |
| Owner | | | | |
| Owner ID: | 339066 | | | |
| Name: | COLLEGE STATION TOWN CENTER INC | | | |
| Mailing Address: | 4121 STATE HIGHWAY 6 S STE 200 COLLEGE STATION, TX 77845-8682 | | | |

| % Ownership: | 100.0% |
|--------------|--|
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|---------------------------------|---------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$2,794 |
| Agricultural Market Valuation: | \$0 |
| Market Value: | \$2,794 |
| Ag Use Value: | \$0 |
| Appraised Value: | \$2,794 |
| Homestead Cap Loss: ② | \$0 |
| | |

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$2,794 | \$2,794 | \$14.94 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$2,794 | \$2,794 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.493500 | \$2,794 | \$2,794 | \$13.79 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$2,794 | \$2,794 | \$13.97 | |
| S2 | COLLEGE STATION ISD | 1.215200 | \$2,794 | \$2,794 | \$33.95 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$2,794 | \$2,794 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$2,794 | \$2,794 | \$0.00 | |

Total Tax Rate: 2.743318

Estimated Taxes With Exemptions: \$76.65

Estimated Taxes Without Exemptions: \$76.65

■ Property Land

| Туре | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|-----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.317 | 13,808.52 | 0.00 | 0.00 | \$1,450 | \$0 |
| 7 | <5 ACRES | 0.25 | 10,890.00 | 0.00 | 0.00 | \$1,143 | \$0 |
| 7 | <5 ACRES | 0.044 | 1,916.64 | 0.00 | 0.00 | \$201 | \$0 |

■ Property Roll Value History

| Assessed | HS Cap Loss | Appraised | Ag Valuation | Land Market | Improvements | Year |
|----------|--------------------|-----------|--------------|-------------|--------------|------|
| N/A | N/A | N/A | N/A | N/A | N/A | 2022 |
| \$2,794 | \$0 | \$2,794 | \$0 | \$2,794 | \$0 | 2021 |
| \$100 | \$0 | \$100 | \$0 | \$100 | \$0 | 2020 |

■ Property Deed History

| Deed Date | Туре | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------|-------------|---------------------------------------|---|--------|------|---------|
| 12/6/2019 | PLAT | PLAT FILED | COLLEGE STATION TOWN CENTER INC | ROCK PRAIRIE MANAGEMENT DISTRICT NO 2 | 15731 | 206 | 1379766 |

Brazos CAD Property Search

Property ID: 427486 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 427486 |
| Legal Description: | MIDTOWN RESERVE PH 200, BLOCK 0, LOT COMMON AREAS 1, 24, & 25 |
| Geographic ID: | 413800-2000-0000 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | AMISTAD LOOP TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2248520A |
| Owner | |
| Owner ID: | 339450 |
| Name: | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC |
| Mailing Address: | % GREENS PRAIRIE INVESTORS LTD 1645 GREENS PRAIRIE RD W STE 204 COLLEGE STATION, TX 77845-8414 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|--|---------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$1,500 |
| Agricultural Market Valuation: | \$0 |
| Market Value: | \$1,500 |
| Ag Use Value: | \$0 |
| | \$1,500 |
| Appraised Value: | |
| Appraised Value: Homestead Cap Loss: Output Description: | \$0 |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$1,500 | \$1,500 | \$8.02 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$1,500 | \$1,500 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$1,500 | \$1,500 | \$7.43 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$1,500 | \$1,500 | \$7.50 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$1,500 | \$1,500 | \$18.44 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$1,500 | \$1,500 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$1,500 | \$1,500 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$41.38 Estimated Taxes Without

Exemptions: \$41.38

■ Property Improvement - Building

■ Property Land

| Туре | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.015 | 653.40 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.011 | 479.16 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.045 | 1,960.20 | 0.00 | 0.00 | \$500 | \$0 |

■ Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap Loss | Assessed |
|------|--------------|-------------|--------------|-----------|-------------|----------|
| 2022 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2021 | \$0 | \$1,500 | \$0 | \$1,500 | \$0 | \$1,500 |
| 2020 | \$0 | \$100 | \$0 | \$100 | \$0 | \$100 |

■ Property Deed History

| Deed Date | 78000 E.C. | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------------|-------------|--|--|--------|------|---------|
| 3/6/2020 | PLAT | PLAT FILED | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | 15895 | 098 | 1387108 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Brazos CAD Property Search

Property ID: 427487 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 427487 |
| Legal Description: | MIDTOWN RESERVE PH 200, BLOCK 0, LOT PARKLAND J, N, K, & L, ACRES 2.671 |
| Geographic ID: | 413800-2000-0001 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | AMISTAD LOOP TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2248520A |
| Owner | |
| Owner ID: | 339450 |
| Name: | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC |
| Mailing Address: | % GREENS PRAIRIE INVESTORS LTD 1645 GREENS PRAIRIE RD W STE 204 COLLEGE STATION, TX 77845-8414 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|--------------------------------------|---------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$2,000 |
| Agricultural Market Valuation: | \$0 |
| Market Value: | \$2,000 |
| Ag Use Value: | \$0 |
| | \$2,000 |
| Appraised Value: | |
| Appraised Value: Homestead Cap Loss: | \$0 |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$2,000 | \$2,000 | \$10.69 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$2,000 | \$2,000 | \$9.90 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$2,000 | \$2,000 | \$10.00 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$2,000 | \$2,000 | \$24.58 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$2,000 | \$2,000 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$55.17 Estimated Taxes Without

Exemptions: \$55.17

■ Property Improvement - Building

■ Property Land

| Туре | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|-----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.619 | 26,963.64 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 1.391 | 60,591.96 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.285 | 12,414.60 | 0.00 | 0.00 | \$500 | \$0 |
| 7 | <5 ACRES | 0.376 | 16,378.56 | 0.00 | 0.00 | \$500 | \$0 |

■ Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap Loss | Assessed |
|------|--------------|-------------|--------------|-----------|-------------|----------|
| 2022 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2021 | \$0 | \$2,000 | \$0 | \$2,000 | \$0 | \$2,000 |
| 2020 | \$0 | \$100 | \$0 | \$100 | \$0 | \$100 |

■ Property Deed History

| Deed Date | 1996/1996 | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|-----------|-------------|--|---|--------|------|---------|
| 3/6/2020 | PLAT | PLAT FILED | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | ROCK PRAIRIE MANAGEMENT DISTRICT NO 2 | 15895 | 098 | 1387108 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Brazos CAD Property Search

Property ID: 433628 For Year 2021

♥ Map



■ Property Details

| Account | |
|--------------------|---|
| Property ID: | 433628 |
| Legal Description: | MIDTOWN RESERVE PH 103, BLOCK 1, LOT PARKLAND E |
| Geographic ID: | 413800-1031-0000 |
| Agent: | |
| Туре: | Real |
| Location | |
| Address: | MCQUEENY DR TX |
| Map ID: | 570-196,570-198 |
| Neighborhood CD: | 2248520A |
| Owner | |
| Owner ID: | 339450 |
| Name: | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC |
| Mailing Address: | % GREENS PRAIRIE INVESTORS LTD 1645 GREENS PRAIRIE RD W STE 204 COLLEGE STATION, TX 77845-8414 |
| % Ownership: | 100.0% |
| Exemptions: | For privacy reasons not all exemptions are shown online. |

■ Property Values

| Improvement Homesite Value: | \$0 |
|---------------------------------|-------|
| Improvement Non-Homesite Value: | \$0 |
| Land Homesite Value: | \$0 |
| Land Non-Homesite Value: | \$500 |
| Agricultural Market Valuation: | \$0 |
| | |
| Market Value: | \$500 |
| Ag Use Value: | \$0 |
| Appraised Value: | \$500 |
| Homestead Cap Loss: ❷ | \$0 |
| | |
| | |

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

■ Property Taxing Jurisdiction

| Entity | Description | Tax Rate | Market Value | Taxable Value | Estimated Tax | Freeze Ceiling |
|--------|---------------------------------------|----------|-----------------|------------------|------------------|-------------------|
| C2 | CITY OF COLL. STAT. | 0.534618 | \$500 | \$500 | \$2.67 | |
| CAD | APPRAISAL DISTRICT | 0.000000 | \$500 | \$500 | \$0.00 | |
| G1 | BRAZOS COUNTY | 0.495000 | \$500 | \$500 | \$2.48 | |
| MD2 | ROCK PRAIRIE MANAGEMENT DISTRICT 2 | 0.500000 | \$500 | \$500 | \$2,50 | |
| S2 | COLLEGE STATION ISD | 1.229000 | \$500 | \$500 | \$6.15 | |
| TZ19C | CS TAX INCREMENT ZONE#19 CSMD-E | 0.000000 | \$500 | \$500 | \$0.00 | |
| ZRFND | Z REFUND ENTITY | 0.000000 | \$500 | \$500 | \$0.00 | |

Total Tax Rate: 2.758618 Estimated Taxes With Exemptions: \$13.79 Estimated Taxes Without

Exemptions: \$13.79

■ Property Improvement - Building

■ Property Land

| Туре | Description | Acreage | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|------|-------------|---------|----------|-----------|-----------|--------------|-------------|
| 7 | <5 ACRES | 0.113 | 4,922.28 | 0.00 | 0.00 | \$500 | \$0 |

■ Property Roll Value History

| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap Loss | Assessed |
|------|--------------|-------------|--------------|-----------|-------------|----------|
| 2022 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2021 | \$0 | \$500 | \$0 | \$500 | \$0 | \$500 |

■ Property Deed History

| Deed Date | 5.67 | Description | Grantor | Grantee | Volume | Page | Number |
|--------------|------|-------------|--|---|--------|------|---------|
| 3/11/2020 | PLAT | PLAT FILED | COLLEGE STATION DOWNTOWN RESIDENTIAL LLC | ROCK PRAIRIE MANAGEMENT DISTRICT NO 2 | 15905 | 174 | 1387513 |

DISCLAIMER

VALUES DISPLAYED ARE 2021 CERTIFIED VALUES UNLESS THE PROPERTY HAS AN ACTIVE PROTEST.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

SPECIAL WARRANTY DEED (Detention Site)

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

| THE STATE OF TEXAS | § | |
|--------------------|---|--------------------------------------|
| | § | KNOW ALL MEN BY THESE PRESENTS THAT: |
| COUNTY OF BRAZOS | § | |

COLLEGE STATION TOWN CENTER, INC., a Texas corporation, with offices located at 4121 State Highway 6, College Station, Brazos County, Texas 77845 (hereinafter called "GRANTOR"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2, a political subdivision of the State of Texas created by an Act of the 83rd Texas Legislature under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, and operating under and governed by the provisions of Chapter 3909, Special District Local Laws Code, with offices located at 1300 Post Oak Boulevard, Suite 1400, Houston, Texas 77056 (hereinafter called "GRANTEE"), the receipt of which is hereby acknowledged by GRANTOR, and in further consideration of the agreement of GRANTEE to pay the Site Costs as defined in and pursuant to the terms of that certain Utility Development Agreement by and between GRANTOR and GRANTEE, dated August 18, 2015, as amended on February 15, 2018, has GRANTED, SOLD and CONVEYED, and by these presents, does GRANT, SELL and CONVEY, unto the said GRANTEE herein, that certain approximately 6.76 acres of land out of and part of the Thomas Caruthers League, Abstract No. 9, Brazos County, Texas, described on Exhibit "A" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted subject to any and all matters of public record in the Office of the County Clerk of Brazos County, Texas or existing on the ground, to the extent, and only to the extent, that the same may still be in force and effect. GRANTOR warrants that GRANTOR has not imposed or granted to third parties any reservation, restriction, easement, license or any other grant affecting the above described premises that impairs the use of the above described premises for drainage and detention facilities.

Grantor assumes responsibility for the payment of taxes for the year 2021 and for the payment of all taxes for prior years.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging to said GRANTEE, its successors and assigns, forever and GRANTOR does hereby bind itself, and its successors, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under GRANTOR, but not otherwise, subject to the aforesaid matters.

EXECUTED this 1st day of June, 2021.

COLLEGE STATION TOWN CENTER, INC., a Texas corporation

By: _

James. G. Murr, Director

"Grantor"

THE STATE OF TEXAS

8

COUNTY OF BRAZOS

This instrument was acknowledged before me on this 15t day of Tune, 2021, by James Murr, Director of College Station Town Center, Inc., a Texas corporation, on behalf of said corporation.

JULIA M. KIME
NOTARY ID #90290-0
My Commission Expires
November 29, 2022

Notary Public in and for the

State of TEXAS

| Approved for acceptance by Rock Prairie Management District No. 2 this | 15+ | _day of |
|--|-----|---------|
| Tune, 2021. | | |
| | | |

ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2

By:

President, Board of Directors

"Grantee"

THE STATE OF TEXAS

8

COUNTY OF BRAZOS

This instrument was acknowledged before me on this Aday of Which, 2021, by Uri Geva, President of the Board of Directors of Rock Prairie Management District No. 2, a political subdivision of the State of Texas, on behalf of said political subdivision.

JULIA M. KIME
NOTARY ID #90290-0
My Commission Expires
November 29, 2022

Notary Public in and for the State of TEXAS EXHIBIT "A"

METES AND BOUNDS DESCRIPTION 0.3384 OF ONE ACRE IN THE THOMAS CARUTHERS LEAGUE, A-9 BRAZOS COUNTY, TEXAS

A 0.3384 OF ONE ACRE (14,742 SQ. FT.) TRACT OF LAND SITUATED IN THE THOMAS CARUTHERS LEAGUE, A-9, BRAZOS COUNTY, TEXAS, BEING OUT OF A CALLED 83.4581 ACRE TRACT DESCRIBED IN DEED TO COLLEGE STATION TOWN CENTER, INC. AND RECORDED IN VOLUME 14296, PAGE 25 OF THE BRAZOS COUNTY DEED RECORDS; SAID 0.3384 OF ONE ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

COMMENCING at the southwest corner of Parkland 01 of Midtown City Center Subdivision Phase 301 as recorded in Volume 15731, Page 206 of the Brazos County Plat Records (B.C.P.R.) and a point in the southeasterly right-of-way line of Town Lake Drive (83 feet wide) as recorded in Volume 15525, Page 139 of the Brazos County Deed Records being in the arc of a non-tangent curve to the left, from which a 1/2-inch iron rod found for the northeast corner of Lot 5 of the Minor Replat of Midtown City Center Subdivision Phase 301, as recorded in Volume 16508, Page 59 B.C.P.R. bears North 86°29'24" East, a distance of 698.57 feet and a 1/2-inch iron rod found a the southwest corner of said Lot 6 bears South 52°00'06" East, a distance of 698.44 feet;

THENCE, along the southeasterly right-of-way line of said Town Lake Drive and said non-tangent curve to the left having a radius of 633.50 feet, a central angle of 02°23′29″, an arc length of 26.44 feet and a chord bearing of South 16°02′10″ West, a distance of 26.44 feet to the point of tangency;

THENCE, South 14°50′26" West, continuing with the southeasterly right-of-way of said Town Lake Drive, a distance of 159.13 feet to a point for corner;

THENCE, North 75°09'34" West, a distance of 83.11 feet to a point in the northwesterly right-ofway line of said Town Lake Drive and the **POINT OF BEGINNING** of the herein described tract;

(1) THENCE, South 14°50′26" West, along the northwesterly right-of-way line of said Town Lake Drive, a distance of 158.60 feet to a point for corner, from which an angle point in the northwesterly right-of-way line of said Town Lake Drive bears South 14°50′26" West, a distance of 4.37 feet:

THENCE, over and across said 83.4581 acre tract the following thirteen (13) courses and distances:

- (2) North 75°09'34" West, a distance of 6.43 feet to a point for corner;
- (3) North 82°53'05" West, a distance of 18.69 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (4) along said non-tangent curve to the right having a radius of 71.27 feet, a central angle of 24°49'37", an arc length of 30.88 feet and a chord bearing North 67°08'27" West, a distance of 30.64 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (5) along said non-tangent curve to the right having a radius of 378.86 feet, a central angle of 05°12'49", an arc length of 34.47 feet and a chord bearing North 50°51'42" West, a distance of 34.46 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (6) along said non-tangent curve to the right having a radius of 40.21 feet, a central angle of 42°10'00", an arc length of 29.59 feet and a chord bearing North 28°01'23" West, a distance of 28.93 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (7) along said non-tangent curve to the right having a radius of 333.87 feet, a central angle of 04°26'25", an arc length of 25.87 feet and a chord bearing North 03°32'21" West, a distance of 25.87 feet to a point for corner, being in the arc of a non-tangent curve to the right;

0.3384 of one acre
THOMAS CARUTHERS LEAGUE, A-9

- (8) along said non-tangent curve to the right having a radius of 51.43 feet, a central angle of 27°09'21", an arc length of 24.37 feet and a chord bearing North 14°51'45" East, a distance of 24.15 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (9) along said non-tangent curve to the right having a radius of 101.15 feet, a central angle of 18°06'28", an arc length of 31.97 feet and a chord bearing North 36°44'41" East, a distance of 31.84 feet to a point for corner, being in the arc of a non-tangent curve to the right;
- (10) along said non-tangent curve to the right having a radius of 43.89 feet, a central angle of 55°48'36", an arc length of 42.75 feet and a chord bearing North 70°25'16" East, a distance of 41.08 feet to a point for corner;
- (11) South 83°31'20" East, a distance of 6.71 feet to a point for corner, being in the arc of a non-tangent curve to the left;
- (12) along said non-tangent curve to the left having a radius of 116.62 feet, a central angle of 14°54'23", an arc length of 30.34 feet and a chord bearing South 87°44'17" East, a distance of 30.26 feet to a point for corner, being in the arc of a non-tangent curve to the left;
- (13) along said non-tangent curve to the left having a radius of 218.72 feet, a central angle of 07°35'47", an arc length of 29.00 feet and a chord bearing North 79°25'43" East, a distance of 28.98 feet to a point for corner;
- (14) South 75°09'34" East, a distance of 6.43 feet to the **POINT OF BEGINNING** and containing 0.3384 of one acre or 14,742 square feet of land. This description accompanies an Exhibit, prepared by Edminster, Hinshaw, Russ and Associates, Inc. d/b/a EHRA and dated March 24, 2021.

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a EHRA

Charles Kennedy, Jr., K.P.L.S. Texas Registration No. 5708 10011 Meadowglen Lane

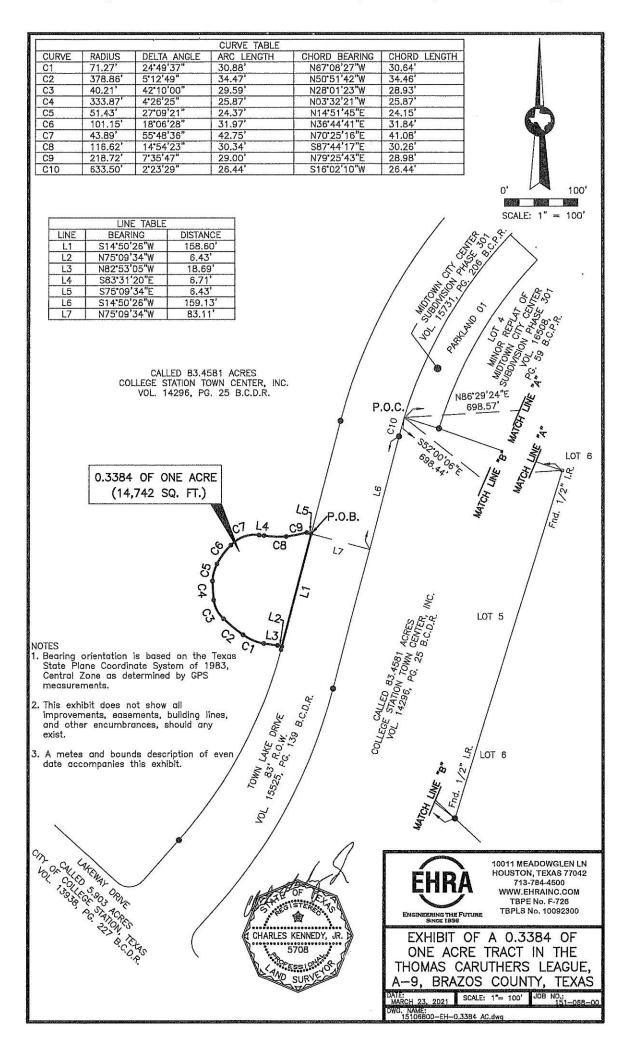
hal The

Houston, Texas 77042 713-784-4500

TBPLS No. 10092300

Date: 03/24/21 Job No: 151-068-00

File No: R:\2015\151-068-00\Docs\Description\Exhibit\15106800-EH 0.3384 acres.doc



METES AND BOUNDS DESCRIPTION 6.419 ACRES IN THE THOMAS CARUTHERS LEAGUE, A-9 BRAZOS COUNTY, TEXAS

A 6.419 ACRE TRACT OF LAND SITUATED IN THE THOMAS CARUTHERS LEAGUE, A-9, BRAZOS COUNTY, TEXAS, BEING OUT OF A CALLED 83.4581 ACRE TRACT DESCRIBED IN DEED TO COLLEGE STATION TOWN CENTER, INC. AND RECORDED IN VOLUME 14296, PAGE 25 OF THE BRAZOS COUNTY DEED RECORDS; SAID 6.419 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

BEGINNING at the southwesterly corner of Parkland 01 of Midtown City Center Subdivision Phase 301, as recorded in Volume 15731, Page 206 of the Brazos County Plat Records (B.C.P.R.), also being in the southeasterly right-of-way line of Town Lake Drive (83 feet wide) as recorded in Volume 15525, Page 139 of the Brazos County Deed Records;

- (1) THENCE, South 72°46'03" East, along the southwesterly line of said Midtown City Center, a distance of 50.00 feet to the southwesterly corner of Lot 4 of the Minor Replat of Midtown city Center Subdivision Phase 301, as recorded in Volume 16508, Page 59 B.C.P.R.;
- (2) THENCE, South 70°44′20″ East, along the southwesterly line of said Minor Replat of Midtown City Center, a distance of 166.55 feet to an angle point in the southwesterly line of said Midtown City Center;
- (3) THENCE, South 40°46'14" East, continuing along the southwesterly line of said Minor Replat of Midtown City Center, a distance of 270.29 feet to common southerly corner of said Lot 4 and Lot 5 of said Minor Replat of Midtown City Center;
- (4) THENCE, South 47°23'59" East, continuing along the southwesterly line of said Minor Plat of Midtown City Center, at a distance of 229.60 feet pass a 1/2-inch iron rod found at the southeast corner of said Lot 5 of said Minor Replat of Midtown City Center, continuing a distance of 319.72 feet to a 1/2-inch iron rod found for an angle point in the southwesterly line of Lot 6 of said Minor Replat of Midtown City Center;
- (5) THENCE, South 04°15'33" West, continuing along the southwesterly line of said Minor Plat of Midtown City Center, a distance of 164.56 feet to an "X" in concrete found for an angle point in the southwesterly corner of Lot 6 of said Minor Plat of Midtown City Center;

THENCE, over and across said 83.4581 acre tract the following thirty (30) courses and distances:

- (6) South 26°53'58" West, a distance of 125.49 feet to a point for corner;
- (7) North 60°00'45" West, a distance of 20.12 feet to a point for corner;
- (8) South 31°52'53" West, a distance of 25.84 feet to a point for corner;
- (9) South 36°35'48" West, a distance of 21.46 feet to a point for corner;
- (10) South 59°12'33" West, a distance of 20.57 feet to a point for corner;
- (11) South 52°30'08" West, a distance of 31.37 feet, to a point for corner, being in the arc of a non-tangent curve to the right;
- (12) along said non-tangent curve to the right having a radius of 106.56 feet, a central angle of 59°51'47", an arc length of 111.34 feet and a chord bearing South 89°22'25" West, a distance of 106.34 feet to a point of compound curvature;
- (13) along said compound curve to the right having a radius of 763.55 feet, a central angle of 02°10'20", an arc length of 28.95 feet and a chord bearing North 59°36'32" West, a distance of 28.95 feet to a point for corner;
- (14) North 47°14'02" West, a distance of 84.34 feet to a point for corner;

6,419 acres THOMAS CARUTHERS LEAGUE, A-9

(15)North 74°44'23" West, a distance of 23.78 feet to a point for corner; (16)North 84°36'23" West, a distance of 20.12 feet to a point for corner; (17)North 78°34'39" West, a distance of 42.88 feet to a point for corner, being in the arc of a non-tangent curve to the right; (18)along said non-tangent curve to the right having a radius of 57.75 feet, a central angle of 101°50'10", an arc length of 102.64 feet and a chord bearing North 34°38'03" West, a distance of 89.65 feet to a point of compound curvature; (19)along said compound curve to the right having a radius of 50.43 feet, a central angle of 40°17'10", an arc length of 35.46 feet and a chord bearing North 36°25'37" East, a distance of 34.74 feet to a point for corner; North 29°35'23" East, a distance of 19.73 feet to a point for corner, being in the arc of a (20)non-tangent curve to the left; along said non-tangent curve to the left having a radius of 349.70 feet, a central angle of (21)15°28'45", an arc length of 94.48 feet and a chord bearing North 16°11'17" West, a distance of 94.19 feet to a point of reverse curvature; along said reverse curve to the right having a radius of 185.62 feet, a central angle of (22)16°43'54", an arc length of 54.21 feet and a chord bearing North 15°33'42" West, a distance of 54.01 feet to a point of compound curvature; (23)along said compound curve to the right having a radius of 137.66 feet, a central angle of 13°24'12", an arc length of 32.20 feet and a chord bearing North 00°29'39" West, a distance of 32.13 feet to a point for corner; (24) North 73°19'54" East, a distance of 26.64 feet to a point for corner, being in the arc of a non-tangent curved to the left; (25)along said non-tangent curve to the left having a radius of 150.00 feet, a central angle of 31°41'23", an arc length of 82.96 feet and a chord bearing North 04°17'44" West, a distance of 81.91 feet to a point of reverse curvature; (26)along said reverse curve to the right having a radius of 50.00 feet, a central angle of 57°44'44", an arc length of 50.39 feet and a chord bearing North 08°43'56" East, a distance of 48.29 feet to a point of reverse curvature; (27)along said reverse curve to the left having a radius of 35.00 feet, a central angle of 100°00'58", an arc length of 61.10 feet and a chord bearing North 12°24'11" West, a distance of 53.63 feet to a point for corner; (28)North 54°08'41" East, a distance of 6.95 feet to a point for corner; (29)North 35°51'19" West, a distance of 42.00 feet to a point for corner; (30)South 54°08'41" West, a distance of 23.39 feet to a point for corner, being in the arc of a non-tangent curve to the left; (31)along said non-tangent curve to the left having a radius of 44.00 feet, a central angle of 56°59'35", an arc length of 43.77 feet and a chord bearing North 82°39'27" West, a distance of 41.99 feet to a point of reverse curvature; (32)along said reverse curve to the right having a radius of 101.00 feet, a central angle of 30°00'42", an arc length of 52.90 feet and a chord bearing South 83°51'07" West, a

along said reverse curve to the left having a radius of 71.84 feet, a central angle of 34°32'15", an arc length of 43.30 feet and a chord bearing South 81°35'20" West, a distance of 42.65 feet to a point for corner;

distance of 52.30 feet to a point of reverse curvature;

6.419 acres THOMAS CARUTHERS LEAGUE, A-9

CHARLES KEUNEDY,

- (34) South 64°19'13" West, a distance of 25.37 feet to a point for corner;
- (35) North 75°09'34" West, a distance of 6.32 feet to a point in the southeasterly right-of-way line of the aforementioned Town Lake Drive;
- (36) THENCE, North 14°50'26" East, along the southeasterly right-of-way line of said Town Lake Drive, a distance of 228.99 feet to a point of curvature to the right;
- (37) THENCE, continuing along the southeasterly right-of-way line of said Town Lake Drive and said curve to the right having a radius of 633.50 feet, a central angle of 02°23'28", an arc length of 26.44 feet and a chord bearing North 16°02'10" East, a distance of 26.44 feet to the POINT OF BEGINNING and containing 6.419 acres of land. This description accompanies an Exhibit, prepared by Edminster, Hinshaw, Russ and Associates, Inc. d/b/a EHRA and dated March 24, 2021.

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a EHRA

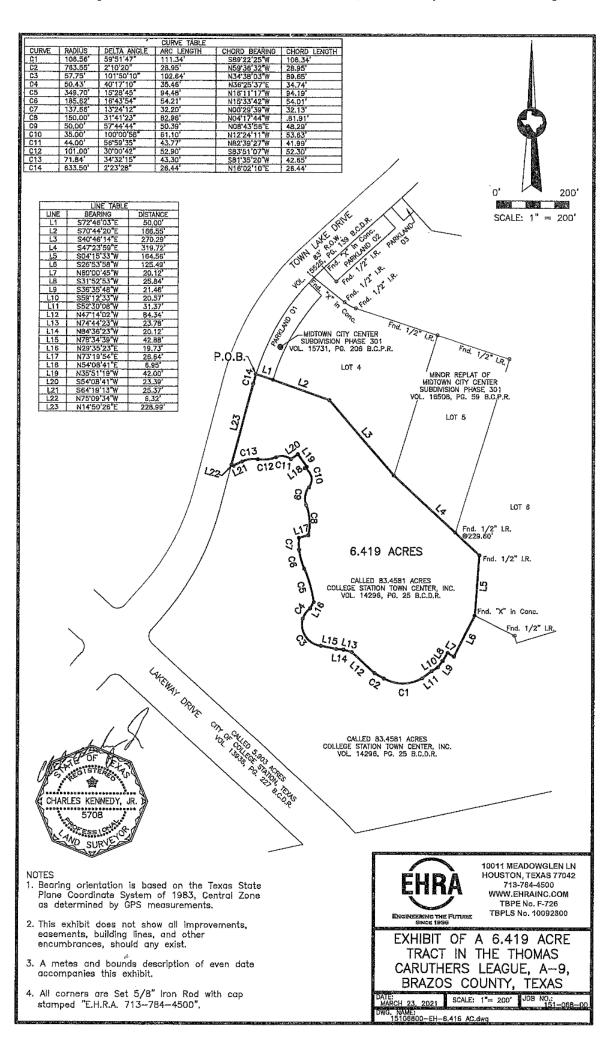
Charles Kennedy, Jr., R.P. S. Texas Registration No. 5708 10011 Meadowglen Lane

Houston, Texas 77042

713-784-4500 TBPLS No. 10092300

Date: 03/24/21 Job No: 151-068-00

File No: R:\2015\151-068-00\Docs\Description\Exhibit\15106800-EH 6.362 acres.doc



Brazos County Karen McQueen County Clerk

Instrument Number: 1434750

Volume: 17077

ERecordings - Real Property

Recorded On: June 09, 2021 11:07 AM Number of Pages: 12

" Examined and Charged as Follows: "

Total Recording: \$70.00

******* THIS PAGE IS PART OF THE INSTRUMENT ********

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.

File Information: Record and Return To:

Document Number: 1434750 Simplifile

Receipt Number: 20210609000036 5072 NORTH 300 WEST

Recorded Date/Time: June 09, 2021 11:07 AM

User: Cathy B PROVO UT 84604

Station: MXL05128l3



STATE OF TEXAS COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen County Clerk Brazos County, TX

SPECIAL WARRANTY DEED (Park Sites)

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

THE STATE OF TEXAS \$ \$ KNOW ALL MEN BY THESE PRESENTS THAT: COUNTY OF BRAZOS \$

COLLEGE STATION TOWN CENTER, INC., a Texas corporation, with offices located at 4121 State Highway 6, College Station, Brazos County, Texas 77845 (hereinafter called "GRANTOR"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2, a political subdivision of the State of Texas created by an Act of the 83rd Texas Legislature under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas, and operating under and governed by the provisions of Chapter 3909, Special District Local Laws Code, with offices located at 1300 Post Oak Boulevard, Suite 1400, Houston, Texas 77056 (hereinafter called "GRANTEE"), the receipt of which is hereby acknowledged by GRANTOR, has GRANTED, SOLD and CONVEYED, and by these presents, does GRANT, SELL and CONVEY, unto the said GRANTEE herein, those certain tracts of land described by metes and bounds attached hereto as Exhibit "A" and incorporated herein.

This conveyance is made and accepted subject to any and all matters of public record in the Office of the County Clerk of Brazos County, Texas or existing on the ground, to the extent, and only to the extent, that the same may still be in force and effect. GRANTOR warrants that GRANTOR has not imposed or granted to third parties any reservation, restriction, easement, license or any other grant affecting the above described premises that impairs the use of the above described premises for park and recreational facilities.

Grantor assumes responsibility for the payment of taxes for the year 2021 and for the payment of all taxes for prior years.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging to said GRANTEE, its successors and assigns, forever and GRANTOR does hereby bind itself, and its successors, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under GRANTOR, but not otherwise, subject to the aforesaid matters.

EXECUTED this Pha day of December, 2021.

COLLEGE STATION TOWN CENTER, INC., a Texas corporation

By:

James. G. Murr, Director

"Grantor"

THE STATE OF TEXAS

8

COUNTY OF BRAZOS

8

This instrument was acknowledged before me on this 19th day of December, 2021, by James Murr, Director of College Station Town Center, Inc., a Texas corporation, on behalf of said corporation.

Notary Public in and for the

State of TEX A S

JULIA M. KIME
NOTARY ID #90290-0
My Commission Expires
November 29, 2022

ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2

By:

President, Board of Directors

"Grantee"

THE STATE OF TEXAS

§

COUNTY OF BRAZOS

This instrument was acknowledged before me on this <u>Mh</u> day of <u>December</u>, 2021, by Uri Geva, President of the Board of Directors of Rock Prairie Management District No. 2, a political subdivision of the State of Texas, on behalf of said political subdivision.

JULIA M. KIME OTARY ID #90290-0 Commission Expires ovember 29, 2022 Notary Public in and for the State of TEXAS EXHIBIT "A"



FIELD NOTES DESCRIPTION OF A 0.442 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.442 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 86.301 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.442 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the northeast line of Midtown Drive (124' R.O.W.) at the intersection of said northeast line with the northwest line of a 50' Public Access & Landscape Easement described in Volume 15672, Page 230 (OPRBCT), for reference a 1/2 inch iron rod with cap stamped "HP MAYO" found on the northeast line of Midtown Drive bears N 47° 55' 17" W, a distance of 1104.93 feet;

THENCE, through said remainder of 86.301 acre tract, 50.00 feet from and parallel to the northwest line of Town Lake Drive, and along the northwest line of said Public Access & Landscape Easement, for the following three (3) courses:

- 1) N 42° 04' 34° E, a distance of 99.82 feet to the beginning of a counterclockwise curve having a radius of 575.00 feet;
- along said curve through a central angle of 27° 14' 08", an arc distance of 273.33 feet and a chord which bears
 N 28° 27' 30" E a distance of 270.76 feet to the end of said curve;
- 3) N 14° 50' 26" E, a distance of 4.21 feet to a point the south line of a called 0.3384 acre tract described out of said remainder of 86.301 acre tract in March, 2021, by Edminster, Hinshaw, Russ & Associates, Inc. d/b/a/ EHRA, said point being in a non-tangent curve to the left;

THENCE, along the south line of said 0.3384 acre tract as described by EHRA for the following three (3) courses:

- along said non-tangent curve to the left having a radius of 71.27 feet, a central angle of 20° 20′ 52°, an arc length of 25.31 feet and a chord bearing of 5 69° 22′ 48″ E, a distance of 25.18 feet to a point;
- 2) **S 82° 53' 05" E,** a distance of **18.69** feet to a point;
- 3) \$75° 09' 34" E, a distance of 6.43 feet to a point on the northwest line of Town Lake Drive (variable width R.O.W.);

THENCE, along the northwest line of Town Lake Drive for the following three (3) courses:

- 1) **S14" 50' 26" W,** a distance of **4.19** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the beginning of a clockwise curve having a radius of **625.00** feet;
- along said curve through a central angle of 27° 14' 08", an arc distance of 297.09 feet and a chord which bears 5 28° 27' 30"
 W a distance of 294.30 feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the end of said curve;
- 3) 5 42° 04′ 34° W, a distance of 74.82 feet to the beginning of a clockwise transition curve having a radius of 25.00 feet:

THENCE, along said curve through a central angle of 90° 00' 09", an arc distance of 39.27 feet and a chord which bears \$ 87° 04' 38" W a distance of 35.36 feet to the end of said curve on the northeast line of Midtown Drive;

THENCE, along the northeast line of Midtown Drive, N 47° 55' 17" W, a distance of 25.00 feet to the POINT OF BEGINNING hereof, and containing 0.442 acres, more or less.

Surveyed on the ground between 2018 and 2020 under my supervision. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) pultiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b).

4/8/21

Brad Kerr

Registered Professional Land Surveyor No. 4502

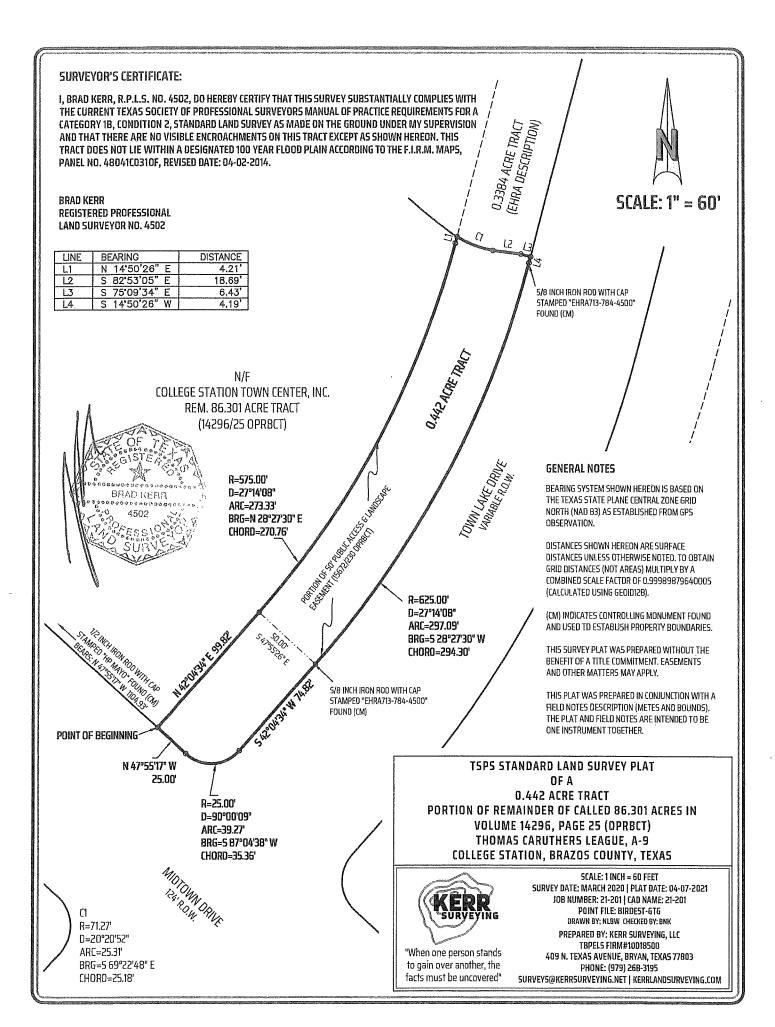


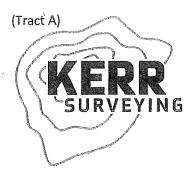


Kerr Surveying, LLC | 409 N. Texas Ave. Bryan, TX 77803

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Surveys@kerrsurveying.net | TBPELS Firm No. 10018500





FIELD NOTES DESCRIPTION OF A 0.546 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9

COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.546 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 24.352 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.546 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found on the southeast line of Town Lake Orive (variable width R.O.W.) and the original common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, according to the plat recorded in Volume 16668, Page 1 (OPRBCT);

THENCE, across Town Lake Drive, N 47° 58' 11" W, a distance of 83.00 feet to the northwest line of Town Lake Drive and the Point of Beginning and the south corner of this herein described tract;

THENCE, along the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, N 47° 58' 11" W, a distance of 50.00 feet to a point on the northwest line of a called 50' Public Access and Landscape Easement described in Volume 15672, Page 230 (OPRBCT) and the west corner of this herein described tract;

THENCE, through said remainder of 24.352 acre tract, 50.00 feet from and parallel to the northwest line of Town Lake Drive (variable R.O.W.), and along the northwest line of said Public Access and Landscape Easement for the following five (5) courses:

- N 42° 04' 34" E, a distance of 306.94 feet to a point for the beginning of a counterclockwise curve having a radius of 450.00 feet:
- 2) along said curve through a central angle of **05° 43' 38"**, an arc distance of **44.98** feet and a chord which bears **N 39° 12' 45"** E a distance of **44.96** feet to a point for the end of said curve;
- N 36° 20' 56" E, a distance of 35.16 feet to a point for the beginning of a clockwise curve having a radius of 550.00 feet;
- along said curve through a central angle of 05° 43' 38", an arc distance of 54.98 feet and a chord which bears N 39° 12' 45"
 E a distance of 54.95 feet to a point for the end of said curve;
- 5) N 42° 04' 34" E, a distance of 36.14 feet to a point on the southwest line of Midtown Drive (124' R.O.W.) and the north corner of this herein described tract, for reference a 1/2 inch iron rod with cap stamped "KERR 4502" found on the southwest line of Midtown Drive bears N 47° 55' 17" W, a distance of 961.69 feet;

THENCE, with the southwest line of Midtown Drive, **5 47° 55' 17" E**, a distance of **25.00** feet to the beginning of a clockwise transition curve having a radius of **25.00** feet;

THENCE, along said transition curve through a central angle of 89° 59' 51", an arc distance of 39.27 and a chord which bears S 02° 55' 22" E, a distance of 35.35 feet to the northwest line of Town Lake Drive;

THENCE, along the northwest line of Town Lake Drive for the following five (5) courses:

- 1) 5 42° 04' 34" W, a distance of 11.14 feet to the beginning of a counterclockwise curve having a radius of 500.00 feet;
- 2) along said curve through a central angle of **05° 43' 38"**, an arc distance of **49.98** and a chord which bears **5 39° 12' 45"** W, a distance of **49.96** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found at the end of said curve;
- 3) **5 36° 20' 56° W,** a distance of **35.16** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found marking the beginning of a clockwise curve having a radius of **500.00** feet;
- 4) along said curve through a central angle of **05° 43' 38"**, an arc distance of **49.98** and a chord which bears **S 39° 12' 45" W**, a distance of **49.96** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found at the end of said curve;
- 5) \$42° 04' 34" W, a distance of 306.90 feet to the POINT OF BEGINNING hereof, and containing 0.546 acres, more or less.

Surveyed on the ground between 2019 and 2020 under my supervision. See plat prepared April 2021 for other information. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NA083), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) multiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b). Reference drawing 21-201.

4/8/21

Brad/Kerr

Registered Professional Land Surveyor No. 4502

BRAD KERN



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FIELD NOTES DESCRIPTION OF A

0.546 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.546 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 24.352 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.546 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found on the southeast line of Town Lake Drive (variable width R.D.W.) and the original common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, according to the plat recorded in Volume 16668, Page 1 (OPRBCT);

THENCE, along the southeast line of Town Lake Drive for the following five (5) courses:

- 1) N 42° 04′ 34° E, a distance of 306.98 feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the beginning of a clockwise curve having a radius of 500.00 feet;
- 2) along said curve through a central angle of 05° 41' 39", an arc distance of 49.69 feet and a chord which bears N 44° 55' 23" E a distance of 49.67 feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the end of said curve;
- 3) N47° 46′ 13° E, a distance of 35.94 feet to a5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the beginning of a counterclockwise curve having a radius of 500.00 feet;
- 4) along said curve through a central angle of **05° 41' 39"**, an arc distance of **49.69** feet and a chord which bears **N 44° 55' 23"**E a distance of **49.67** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the end of said curve;
- 5) N 42° 04' 34° E, a distance of 10.78 feet to a point marking the beginning of a clockwise transition curve having a radius of 25.00 feet:

THENCE, along said transition curve through a central angle of **90° 00' 09"**, an arc distance of **39.27** and a chord which bears **N 87° 04' 38"** E, a distance of **35.36** feet to the southwest line of Midtown Drive (124' R.O.W.);

THENCE, along the southwest line of Midtown Orive, **5** 47° **55'** 17" **E**, a distance of **25.00** feet to a point on the southeast line of a called 50' Public Access and Landscape Easement described in Volume 15672, Page 230 (OPRBCT) and the east corner of this herein described tract;

THENCE, through said remainder of 24.352 acre tract and along the southeast line of said Public Access and Landscape easement for the following five (5) courses:

- \$ 42° 04' 34" W, a distance of 35.78 feet to the beginning of a clockwise curve having a radius of \$50.00 feet;
- along said curve through a central angle of 05° 41' 39", an arc distance of 54.66 and a chord which bears 5 44° 55' 23" W,
 a distance of 54.64 feet to the end of said curve;
- 3) \$ 47° 46' 13" W, a distance of 35.94 feet to the beginning of a counterclockwise curve having a radius of 450.00 feet;
- 4) along said curve through a central angle of 05° 41' 39", an arc distance of 44.72 and a chord which bears \$ 44° 55' 23" W, a distance of 44.70 feet to the end of said curve;
- 5) **S 42° 04' 34" W,** a distance of **306.94** feet to the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2;

THENCE, along the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, N 47° 58' 11" W a distance of 50.00 feet the **POINT OF BEGINNING** hereof, and containing 0.546 acres, more or less.

Surveyed on the ground between 2019 and 2020 under my supervision. See plat prepared April 2021 for other information. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) multiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b). Reference drawing 21-201.

4/8/21

Brad Kerr

Registered Professional Land Surveyor No. 4502





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FIELD NOTES DESCRIPTION OF A 0.640 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9

COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.640 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 86.301 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.640 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the northeast line of Midtown Drive (124' R.O.W.) at the intersection of said northeast line with the southeast line of a 50' Public Access & Landscape Easement described in Volume 15672, Page 230 (OPRBCT);

THENCE, along the northeast line of Midtown Drive, N 47° 55' 17" W, a distance of 25.00 feet to the beginning of a clockwise transition curve having a radius of 25.00 feet;

THENCE, along said curve through a central angle of **89° 59′ 51″**, an arc distance of **39.27** feet and a chord which bears **N 02° 55′ 21″ W** a distance of **35.35** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found at the end of said curve on the southeast line of Town Lake Drive (variable width R.O.W.);

THENCE, along the southeast line of Town Lake Drive for the following three (3) courses:

- 1) N 42° 04' 34" E, a distance of 37.68 feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found at the beginning of a counterclockwise curve having a radius of 725.00 feet;
- along said curve through a central angle of 27° 14' 08", an arc distance of 344.63 feet and a chord which bears
 N 28° 27' 30" E a distance of 341.39 feet to 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found at the end of said curve;
- 3) N 14" 50' 26" E, a distance of 125.97 feet to a point the south line of a called 6.419 acre tract described out of said remainder of 86.301 acre tract in March, 2021, by Edminster, Hinshaw, Russ & Associates, Inc. d/b/a/ EHRA;

THENCE, along the south line of said 6.419 acre tract as described by EHRA for the following three (3) courses:

- 575° 09' 34" E, a distance of 6.31 feet to a point;
- 2) N 64" 19" 13" E, a distance of 25.37 feet to a point in a non-tangent curve to the right;
- along said non-tangent curve to the right having a radius of **71.84** feet, a central angle of **22° 27' 49"**, an arc length of **28.17** feet and a chord bearing of **N 75° 33' 10" E**, a distance of **27.99** feet to a point on the southeast line of said Public Access & Landscape Easement;

THENCE, through said remainder of 86.301 acre tract, 50.00 feet from and parallel to the southeast line of Town Lake Drive, and along the southeast line of said Public Access & Landscape Easement for the following three (3) courses:

- 1) \$ 14° 50' 26" W, a distance of 156.14 feet to a point for the beginning of a clockwise curve having a radius of 775.00 feet;
- 2) along said curve through a central angle of 27° 14' 08", an arc distance of 368.40 feet and a chord which bears 5 28° 27' 30" W a distance of 364.94 feet to a point for the end of said curve;
- 3) 5 42° 04' 34" W, a distance of 62.68 feet to the POINT OF BEGINNING hereof, and containing 0.640 acres, more or less.

Surveyed on the ground between 2018 and 2020 under my supervision. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NADB3), Central Zone, Grid North as established from gps observation using the Leica Smartnet NADB3 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) multiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b).

4/8/21

Brad Kerr

Registered Professional Land Surveyor No. 4502

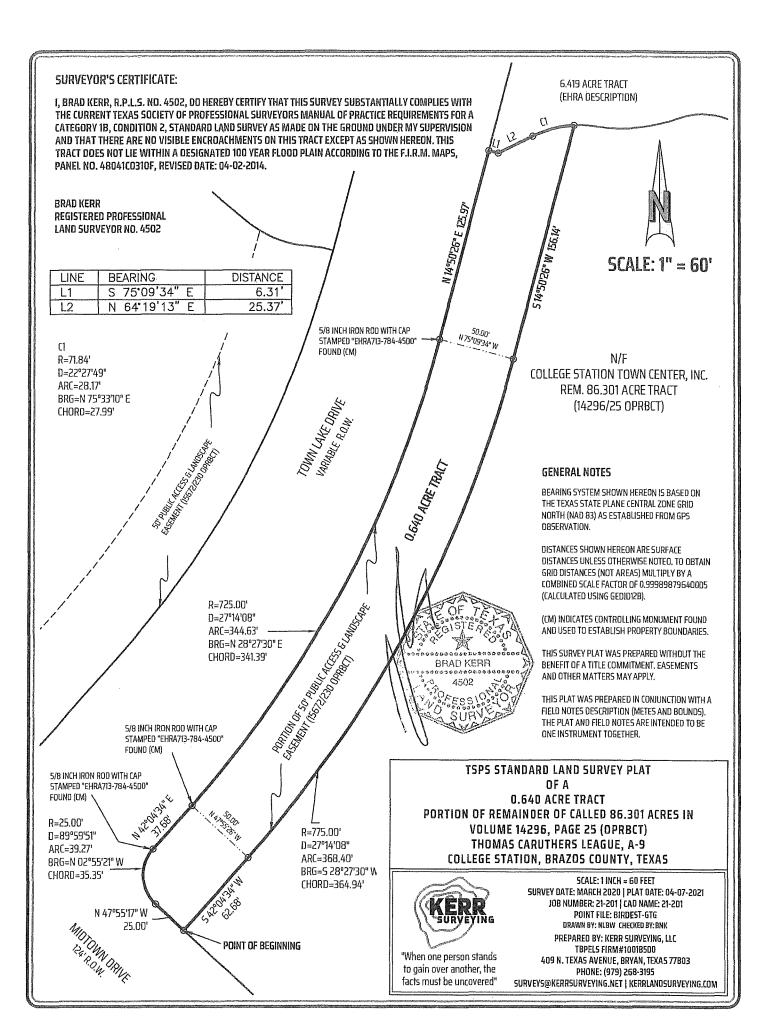


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FIELD NOTES DESCRIPTION OF A 0.704 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.704 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 86.301 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.704 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod with cap stamped "KERR 4502" found on the south line of Rock Prairie Road (variable width R.O.W.)) at the most northerly west corner of said remainder of 86.301 acre tract and the northeast corner of the remainder of a called 10.846 acre tract conveyed to B. C. Nelson, LLC in Volume 15246, Page 47 (OPRBCT;

THENCE, along the south line of Rock Prairie Road, **S 86° 27' 34"** E, a distance of **603.26** feet to a 1/2 inch iron rod with cap stamped "KERR 4502" found for an angle point in said line;

THENCE, continuing along the south line of Rock Prairie Road, **S 85° 01° 50° E**, a distance of **5.28** feet to a 1/2 inch iron rod with cap stamped "KERR 4502" found at the northwest corner of Midtown Reserve Subdivision, Phase 201, according to the plat recorded in Volume 16137, Page 4 (OPRBCT) and the northeast corner of this herein described tract;

THENCE, with the common line of said remainder of 86.301 acre tract and said Midtown Reserve Subdivision, Phase 201, **5 03° 32' 26" W,** a distance of **50.02** feet to a 1/2 inch iron rod with cap stamped "KERR 4502" found at the southwest corner of a parkland dedication tract as reflected on said plat of Midtown Reserve Subdivision, Phase 201;

THENCE, through said remainder of 86.301 acre tract, 50.00 feet from and parallel to the south line of Rock Prairie Road, N 85° 01' 50° W, a distance of 5.90 feet to a point;

THENCE, continuing through said remainder of 86.301 acre tract, 50.00 feet from and parallel to the south line of Rock Prairie Road, N 86° 27' 34" W, a distance of 611.70 feet to a point on the common line of said remainder of 86.301 acre tract and said remainder of 10.846 acre tract;

THENCE, along the common line of said remainder of 86.301 acre tract and said remainder of 25.79 acre tract, N 13° 49' 13" E, a distance of 50.82 feet to the POINT OF BEGINNING hereof, and containing 0.704 acres, more or less.

Surveyed on the ground between 2018 and 2020 under my supervision. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) multiply by a combined scale factor of 0.99989879640005 (calculated using geoid17b).

4/8/21

Braff Kerr

Registered Professional Land Surveyor No. 4502

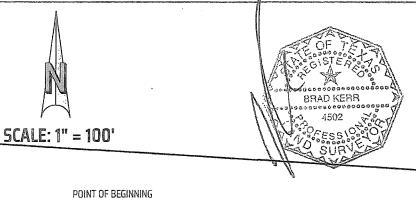




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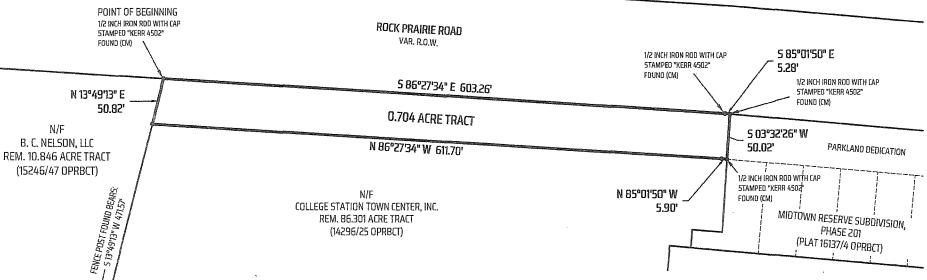
Surveys@kerrsurveying.net | TBPELS Firm No. 10018500



SURVEYOR'S CERTIFICATE:

I, BRAD KERR, R.P.L.S. NO. 4502, DO HEREBY CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION 2, STANDARD LAND SURVEY AS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE ENCROACHMENTS ON THIS TRACT EXCEPT AS SHOWN HEREON. THIS TRACT DOES NOT LIE WITHIN A DESIGNATED 100 YEAR FLOOD PLAIN ACCORDING TO THE F.I.R.M. MAPS, PANEL NO. 48041C0310F, REVISED DATE: 04-02-2014.

BRAD KERR REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4502



GENERAL NOTES

BEARING SYSTEM SHOWN HEREON IS BASED ON THE TEXAS STATE PLANE CENTRAL ZONE GRID NORTH (NAD 83) AS ESTABLISHED FROM GPS OBSERVATION.

OISTANCES SHOWN HEREON ARE SURFACE DISTANCES UNLESS OTHERWISE NOTEO. TO OBTAIN GRID DISTANCES (NOT AREAS) MULTIPLY BY A COMBINED SCALE FACTOR OF D.9998987964D00S (CALCULATEO USING GEOID12B).

(CM) INDICATES CONTROLLING MONUMENT FOUND AND USEO TO ESTABLISH PROPERTY BOUNDARIES.

THIS SURVEY PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND OTHER MATTERS MAY APPLY.

THIS PLAT WAS PREPARED IN CONJUNCTION WITH A FIELD NOTES DESCRIPTION (METES AND BOUNDS). THE PLAT AND FIELD NOTES ARE INTENDED TO BE ONE INSTRUMENT TOGETHER.

LEGEND:

OPRBCT = OFFICIAL PUBLIC RECDRDS
OF BRAZOS COUNTY, TEXAS

123/456 = VOLUME AND PAGE FROM PUBLIC COUNTY RECORDS

N/F = NOW OR FORMERLY

() = RECORD INFORMATION

TSPS STANDARD LAND SURVEY PLAT OF A 0.704 ACRE TRACT PORTION OF REMAINDER OF CALLED 86.301 ACRES IN VOLUME 14296, PAGE 25 (OPRBCT) THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS



"When one person stands to gain over another, the facts must be uncovered" SCALE: 1 INCH = 100 FEET
SURVEY DATE: MARCH 2020 | PLAT DATE: 04-07-2021
JOB NUMBER: 21-201 | CAD NAME: 21-201
POINT FILE: BIRDEST-GTG
DRAWN BY: NLBW CHECKED BY: BNK

PREPARED BY: KERR SURVEYING, LLC
TBPELS FIRM#10018500
409 N. TEXAS AVENUE, BRYAN, TEXAS 77803
PHONE: (979) 268-3195
SURVEYS@KERRSURVEYING.NET [KERRLANDSURVEYING.COM



FIELD NOTES DESCRIPTION OF A 0.763 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 0.763 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 24.352 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 0.763 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found on the southeast line of Town Lake Drive (variable width R.O.W.) and the original common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, according to the plat recorded in Volume 16668, Page 1 (OPRBCT);

THENCE, along the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, **5 47° 58' 11" E,** a distance of **50.00** feet to the southeast line of a called 50' Public Access and Landscape Easement described in Volume 15672, Page 230 (OPRBCT) and the **Point of Beginning** of this herein described tract;

THENCE, through said remainder of 24.352 acre tract and along the southeast line of said Public Access and Landscape Easement, N 42° 04' 34" E, a distance of 62.28 feet to the north corner of this herein described tract;

THENCE, continuing through said remainder of 24.352 acre tract, **S 61° 47' 37" E**, a distance of **451.81** feet to a point on the common line of said remainder of 24.352 acre tract and the remainder of a called 100.64 acre tract conveyed to the City of College Station in Volume 6927, Page 226 (OPRBCT) and the east corner of this herein described tract;

THENCE, along the common line of said remainder of 24.352 acre tract and said remainder of 100.64 acre tract, **S 77° 55' 55" W**, a distance of **106.53** feet to a 12 inch fence post found on the northerly line of a called 46.60 acre tract conveyed to the City of College Station in Volume 3310, Page 321 (DPRBCT) marking a common corner of said remainder of 24.352 acre tract and said remainder of 100.64 acre tract;

THENCE, along the common line of said remainder of 24.352 acre tract and said 46.60 acre tract, **N 68° 42' 56" W**, a distance of **189.31** feet to a 6 inch fence post found marking a common corner of said 46.60 acre tract and M.D. Wheeler, Phase 2;

THENCE, along the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, **N 56° 54' 36" W**, a distance of **108.66** feet to a 3 inch fence post found;

THENCE, continuing along the common line of said remainder of 24.352 acre tract and M.D. Wheeler, Phase 2, N 47° 58′ 11″ W, a distance of 91.94 feet to the **POINT OF BEGINNING** hereof, and containing 0.763 acres, more or less.

Surveyed on the ground between 2019 and 2020 under my supervision. See plat prepared April 2021 for other information. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) multiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b). Reference drawing 21-201.

4/8/21

Brad Kerr

Registered Professional Land Surveyor No. 4502

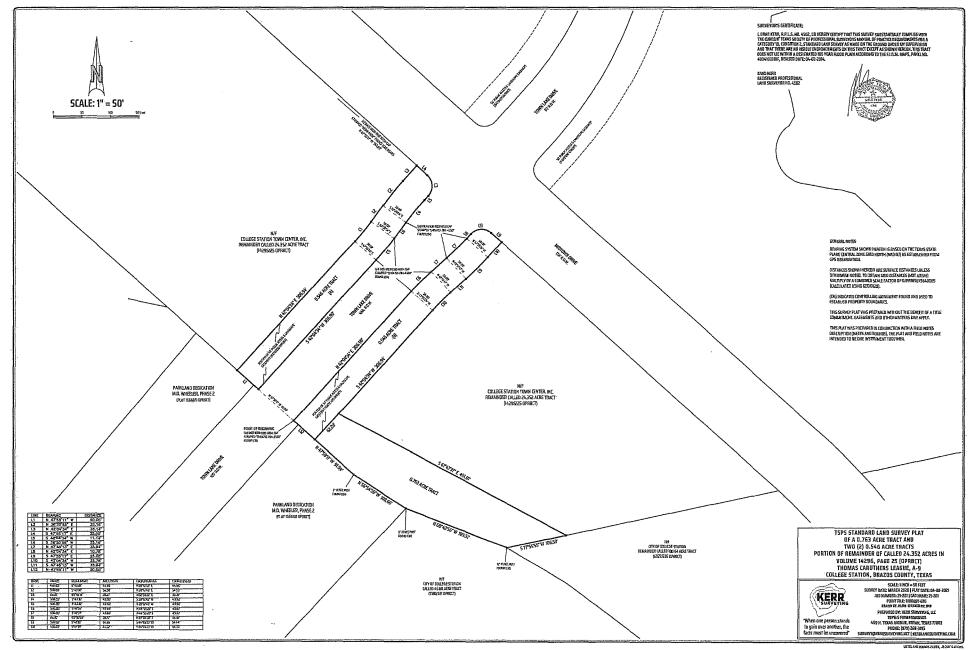




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Surveys@kerrsurveying.net | TBPELS Firm No. 10018500





FIELD NOTES DESCRIPTION OF A 1.027 ACRE TRACT THOMAS CARUTHERS LEAGUE, A-9 COLLEGE STATION, BRAZOS COUNTY, TEXAS

A FIELD NOTES DESCRIPTION OF 1.027 ACRES IN THE THOMAS CARUTHERS LEAGUE, ABSTRACT 9, COLLEGE STATION, BRAZOS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 86.301 ACRE TRACT CONVEYED TO COLLEGE STATION TOWN CENTER, INC. IN VOLUME 14296, PAGE 25 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS (OPRBCT); SAID 1.027 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod with cap stamped "KERR 4502" found on a southeasterly line of said remainder of 86.301 acre tract at the most westerly south corner of a Parkland Dedication tract as reflected on Midtown Reserve Subdivision, Phase 200, according to the plat recorded in Volume 15895, Page 98 (OPRBCT);

THENCE, along the common line of said remainder of 86.301 acre tract and said Parkland Dedication tract, **5 42° 06' 30° E,** a distance of **50.00** feet to a 1/2 inch iron rod with cap stamped "KERR 4502" found on the northwest line of Town Lake Drive (83' R.O.W.) marking the most southerly corner of said Parkland Dedication tract;

THENCE, along the northwest line of Town Lake Orive for the following three (3) courses:

- 1) **S 47° 53' 30" W**, a distance of **298.77** feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the beginning of a counterclockwise curve having a radius of **716.50** feet;
- 2) along said curve through a central angle of 33° 03' 04", an arc distance of 413.31 feet and a chord which bears \$ 31° 21' 58" W a distance of 407.61 feet to a 5/8 inch iron rod with cap stamped "EHRA713-784-4500" found for the end of said curve;
- 3) **514° 50′ 26″ W**, a distance of **159.12** feet to a point the north line of a called 0.3384 acre tract described out of said remainder of 86.301 acre tract in March, 2021, by Edminster, Hinshaw, Russ & Associates, Inc. d/b/a/ EHRA;

THENCE, along the northerly line of said 0.3384 acre tract as described by EHRA for the following three (3) courses:

- 1) N 75° 09' 34° W, a distance of 6.41 feet to a point in a non-tangent curve to the right;
- 2) along said non-tangent curve to the right having a radius of 218.72 feet, a central angle of 07° 35′ 50°, an arc length of 29.00 feet and a chord bearing of \$79° 25′ 43° W, a distance of 28.98 feet to a point in a non-tangent curve to the right;
- 3) along said non-tangent curve to the right having a radius of 116.62 feet, a central angle of 08° 53' 25", an arc length of 18.10 feet and a chord bearing of 5 89° 15' 10" W, a distance of 18.08 feet to a point on the northwest line of a called 50' Public Access & Landscape Easement described in Volume 15672, Page 230 (OPRBCT);

THENCE, through said remainder of 86.301 acre tract, 50.00 feet from and parallel to the northwest line of Town Lake Drive and along the northwest line of said Public Access & Landscape Easement for the following three (3) courses:

- 1) N 14° 50' 26" E, a distance of 176.41 feet to a point for the beginning of a clockwise curve having a radius of 575.00 feet;
- 2) Along said curve through a central angle of **33° 03' 04"**, an arc distance of **442.16** feet and a chord which bears **N 31° 21' 58"**E a distance of **436.05** feet to a point for the end of said curve;
- 3) N 47° 53' 30° E, a distance of 298.77 feet to the POINT OF BEGINNING hereof, and containing 47.68 acres, more or less.

Surveyed on the ground between 2018 and 2020 under my supervision. The bearing basis for this survey is based on The Texas Coordinate System of 1983 (NAD83), Central Zone, Grid North as established from gps observation using the Leica Smartnet NAD83 (NA2011) Epoch 2010 Multi-year CORS Solution 2 (MYCS2). Distances described herein are surface distances. To obtain grid distances (not areas) prultiply by a combined scale factor of 0.99989879640005 (calculated using geoid12b).

4/8/21

Brad Kerr

Registered Professional Land Surveyor No. 4502

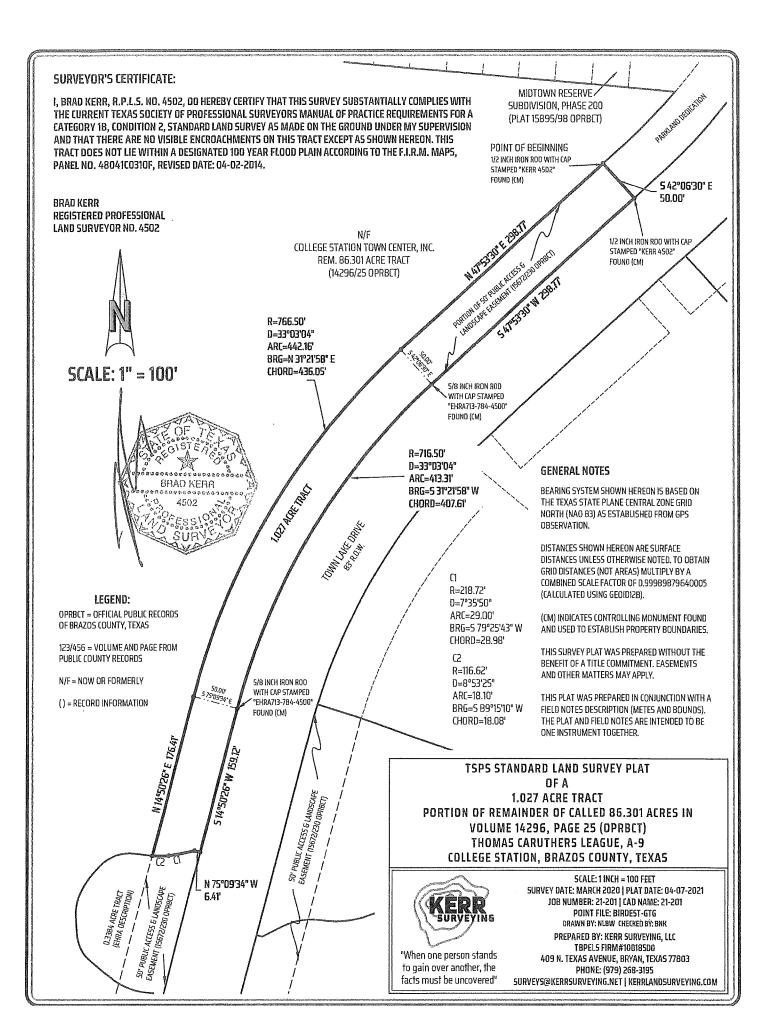




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Brazos County Karen McQueen County Clerk

Instrument Number: 1456885

Volume: 17614

ERecordings - Real Property

Recorded On: December 28, 2021 10:19 AM Number of Pages: 24

" Examined and Charged as Follows: "

Total Recording: \$118.00

******* THIS PAGE IS PART OF THE INSTRUMENT *********

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.

File Information: Record and Return To:

Document Number: 1456885 Simplifile

Receipt Number: 20211228000062 5072 NORTH 300 WEST

Recorded Date/Time: December 28, 2021 10:19 AM

User: Susie C PROVO UT 84604

Station: CCLERK01



STATE OF TEXAS COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen County Clerk Brazos County, TX

Appendix F

Signatory Affidavit



Office of the Secretary of State

CERTIFICATE OF CONVERSION

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

College Station Town Center, L.P. File Number: 802236043

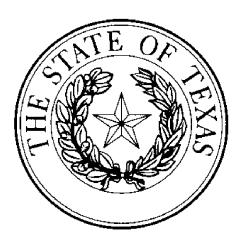
Converting it to

College Station Town Center, Inc. File Number: 802810713

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

Dated: 09/08/2017

Effective: 09/08/2017





Rolando B. Pablos Secretary of State

: (512) 463-5709 Dial: 7-1-1 for Relay Services TID: 10340 Document: 760785740002

Form 643 (Revised 05/11)

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

Filing Fee: See instructions



Certificate of Conversion
of a
Limited Partnership
Converting
to a

to a

Corporation

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
SEP 0.8 2017

Corporations Section

| Converting Entity Information | | | | | | |
|--|-------------------------------------|---------|-----------|---------------|--|--|
| The name of the converting limited p College Station Town Center, L.P. | partnership is: | | · | | | |
| The jurisdiction of formation of the l | imited partnership is: Texas | | | | | |
| The date of formation of the limited partnership is: June 16, 2015 | | | | | | |
| The file number, if any, issued to the limited partnership by the secretary of state is: 802236043 | | | | | | |
| Converted Entity Information | | | | | | |
| The limited partnership named above College Station Town Center, Inc. | e is converting to a corporation. T | he name | of the co | rporation is: | | |
| The corporation will be formed under | r the laws of: Tex | as | | | | |
| Plan of Conversion | | | | | | |
| The plan of conversion is attached. If the plan of conversion is not attached, the following section must be completed. | | | | | | |
| | Alternative Statements | | | | | |
| In lieu of providing the plan of conversion, the converting limited partnership certifies that: | | | | | | |
| 1. A signed plan of conversion is on file at the principal place of business of the limited partnership, the converting entity. The address of the principal place of business of the limited partnership is: | | | | | | |
| 4121 SH-6 S, Suite 200 | College Station | TX | USA | 77845 | | |
| Street or Mailing Address | City | State | Country | Zip Code | | |
| 2. A signed plan of conversion will be on file after the conversion at the principal place of business of the corporation, the converted entity. The address of the principal place of business of the corporation is: | | | | | | |
| 4121 SH-6 S, Suite 200 | College Station | TX | USA | 77845 | | |
| Street or Mailing Address | City | State | Country | Zip Code | | |

Certificate of Formation for the Converted Entity

If the converted entity is a Texas corporation, the certificate of formation of the Texas corporation must be attached to this certificate either as an attachment or exhibit to the plan of conversion, or as an attachment or exhibit to this certificate of conversion if the plan has not been attached to the certificate of conversion.

Approval of the Plan of Conversion

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

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

| A. This document becomes effective whe state. | on the document is accepted and filed by the secretary of |
|---|--|
| | later date, which is not more than nincty (90) days from |
| C. This document takes effect upon the o passage of time. The 90th day after the date of | ocurrence of the future event or fact, other than the of signing is: |
| The following event or fact will cause the do | cument to take effect in the manner described below: |
| | |
| T | ax Certificate |
| Attached hereto is a certificate from the converting entity is in good standing for | e comptroller of public accounts that certifies that the purposes of conversion. |
| In lieu of providing the tax certificate payment of any franchise taxes. | , the corporation as the converted entity is liable for the |
| | Execution |
| materially false or fraudulent instrument. The herein are true and correct, and that the person | to the penalties imposed by law for the submission of a undersigned certifies that the statements contained on signing is authorized under the provisions of the opplicable to and governing the converting entity, to |
| | College Station Town Center, L.P. By: CS District, LLC, its general partner Signature of authorized person (see instructions) James Glenn Murr, Manager of General Partner |
| | Printed or typed name of authorized person |

FILED
In the Office of the Secretary of State of Texas
SEP 0'8 2017

CERTIFICATE OF FORMATION OF COLLEGE STATION TOWN CENTER, INC.

Corporations Section

Article I -- Entity Name and Type

The filing entity being formed is a for-profit corporation. The name of the entity is: College Station Town Center, Inc.

Article II - Registered Agent and Registered Office

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

James G. Murr

The business address of the registered agent and the registered office address are:

4121 SH-6 S, Suite 200 College Station, Texas 77845

Article III - Directors

The number of directors constituting the initial board of directors shall be two (2) and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors are elected and qualified are as follows:

Director 1

James G. Murr 4121 SH-6 S, Suite 200 College Station, Texas 77845

Director 2

John D. Durham 921 N. Chaparral #103 Corpus Christi, Texas 78401

Article IV - Authorized Shares

The total number of shares the corporation is authorized to issue is: 100,000. Each share shall have a par value of \$1.00.

Article V - Purpose

The purpose for which the corporation is formed is for the transaction of any and all lawful business for which a for-profit corporation may be organized under the Texas Business Organizations Code.

Article VI - Consent of Shareholders in Lieu of Meeting

Any action required by the Texas Business Organizations Code to be taken at any annual or special meeting of shareholders, or any action which may be taken at any annual or special meeting of shareholders, may be taken without a meeting, without prior notice, and without a vote, if a consent or consents in writing, setting forth the action so taken, shall be signed by the holder or holders of shares having not less than the minimum number of votes that would be necessary to take such action at a meeting at which the holders of all shares entitled to vote on the action were present and voted. Prompt notice of the taking of any such action shall be given to those shareholders who did not consent in writing to the action.

Article VII - Organizer

The name and address of the organizer:

Karissa Gonzalez
711 W. Navarro Street, Suite 500
San Antonio, Texas 78205

Article VIII - Effectiveness of Filing

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

Article IX - Conversion

The converted entity is being created pursuant to a plan of conversion. It was originally a Texas limited partnership, and its name was College Station Town Center, L.P. It was formed on June 16, 2015, under Filing Number 802236043. The converted entity's address is 4121 SH-6 S, Suite 200, College Station, Texas 77845.

Article X - Amendment to Bylaws

The power to amend or repeal bylaws or adopt new bylaws is wholly reserved exclusively to the corporation's shareholders.

Article XI - Fundamental Actions

The vote required for the shareholders to approve a fundamental action or a fundamental business transaction is the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the fundamental action or fundamental business transaction. "Fundamental action" shall have the meaning set forth in Section 21.364 of the Texas Business

Organizations Code. "Fundamental business transaction" shall have the meaning set forth in Section 21.457 of the Texas Business Organizations Code.

Article XII - Limitation of Liability

NO DIRECTOR OF THE CORPORATION SHALL BE LIABLE TO THE CORPORATION OR ITS SHAREHOLDERS FOR MONETARY DAMAGES FOR AN ACT OR OMISSION IN THE DIRECTOR'S CAPACITY AS A DIRECTOR, EXCEPT THAT THIS ARTICLE DOES NOT ELIMINATE OR LIMIT THE LIABILITY OF A DIRECTOR FOR (I) A BREACH OF A DIRECTOR'S DUTY OF LOYALTY TO THE CORPORATION OR ITS SHAREHOLDERS; (II) AN ACT OR OMISSION NOT IN GOOD FAITH THAT INVOLVES A BREACH OF DUTY OF THE DIRECTOR TO THE CORPORATION OR AN ACT OR OMISSION THAT INVOLVES INTENTIONAL MISCONDUCT OR A KNOWING VIOLATION OF THE LAW; (III) A TRANSACTION FROM WHICH A DIRECTOR RECEIVED AN IMPROPER BENEFIT, WHETHER OR NOT THE BENEFIT RESULTED FROM AN ACTION TAKEN WITHIN THE SCOPE OF THE DIRECTOR'S DUTIES; OR (IV) AN ACT OR OMISSION FOR WHICH THE LIABILITY OF A DIRECTOR IS EXPRESSLY PROVIDED FOR BY AN APPLICABLE STATUTE. IF THE TEXAS BUSINESS ORGANIZATIONS CODE OR ANY OTHER STATUTE IS AMENDED SUBSEQUENTLY TO THE EFFECTIVE DATE OF THIS ARTICLE TO AUTHORIZE CORPORATE ACTION FURTHER ELIMINATING OR LIMITING THE PERSONAL LIABILITY OF DIRECTORS, THEN THE LIABILITY OF A DIRECTOR OF THE CORPORATION SHALL BE ELIMINATED OR LIMITED TO THE FULL EXTENT PERMITTED BY SUCH STATUTE, AS SO AMENDED.

ANY REPEAL OR MODIFICATION OF THE FOREGOING PARAGRAPH BY THE SHAREHOLDERS OF THE CORPORATION SHALL NOT ADVERSELY AFFECT ANY RIGHT OR PROTECTION OF A DIRECTOR OF THE CORPORATION EXISTING AT THE TIME OF SUCH REPEAL OR MODIFICATION.

Execution

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

Date: September 8, 2017.

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Appendix G

Water Well Permits

Permit No. BVDO-0271

Operating Permit Issued By Direction of the Board of Directors of the Brazos Valley Groundwater Conservation District

This Operating Permit is granted to College Station Town Center, Inc. (Permittee) authorizing the Permittee to operate a water well known as Well #1 ("Well") at the location specified below within the Brazos Valley Groundwater Conservation District (District) for the beneficial purpose of producing water for Industrial use. Permittee is authorized to operate the Well located at N 30.57752512° and W 96.26834628° to produce water from the Yegua-Jackson Aquifer at an annual maximum capacity not to exceed 50 GPM and a maximum annual production of 60 acre feet/year.

Operating Permit Term:

- (a) An operating and drilling permit for a well or well site will automatically expire within three years from its issuance if the permitted well(s) has not been completed or is not significantly under development.
- (b) Unless specified otherwise by the Board or these Rules, operating permits are effective for five-year terms. At the end of each five-year term, the permit shall be renewed by the Board for an additional five-year term, upon submittal of a permit renewal application by the permit holder that provides adequate evidence of continued beneficial use for the permitted amount of water withdrawal. The District shall send notices to permit holders that contain the permit renewal applications, prior to permit expirations.
- (c) The District may amend or revoke an operating permit at any time if there is evidence of:
 - (1) the owner or operator of the well or well system has operated in violation of their permit, District Rules, or Chapter 36 of the Texas Water Code; or
 - (2) a change in the permit is required to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence; or
 - (3) The permitted well(s) has not been completed, is not significantly under construction; or no significant progress is being made toward construction.

This permit is issued and effective as of October 9, 2019. This permit was amended March 10, 2020 lengthering the permit term from one (1) year to five (5) years.

Special Provisions/Notes:

This Permit is granted subject to these Rules, orders of the Board, and the laws of the State of Texas. In addition to any special provisions or other requirements incorporated into the permit issued by the District.

- (1) This Permit is granted in accordance with provisions of the Rules of the District, including amendments, and acceptance of this Permit constitutes an acknowledgment and agreement that Permittee will comply with the Rules of the District.
- (2) This Permit confers only the right to operate the permitted well under the provisions of the District Rules and its terms may be modified or amended pursuant to the provisions of those Rules. To protect the permit holder from the illegal use of a new landowner, within ten (10) days after the date of sale of property containing a well having been issued an operating permit, the operating permit holder must notify the District in writing of the name of the new owner. Any person who becomes the owner of a currently permitted well must, within forty-five (45) calendar days from the date of the change in ownership, file an application for a permit amendment to affect a transfer of the permit.
- (3) The operation of the well for the authorized purposes must be conducted in a non-wasteful manner.
- (4) All groundwater production from non-exempt wells in the District is required to be metered, except for the groundwater produced from wells in the Brazos River Alluvium aquifer. The District maintains the discretion to require meters on wells in the Brazos River Alluvium Aquifer. Permittee shall maintain records of withdrawal on the property where the well is located or at its business office, and shall make those records available to the District for inspection. The Permittee shall submit complete, accurate, and timely metered pumpage and transport reports to the District annually, as requested by the District, no later than February first (1st) of each year.
- (5) The well site must be accessible to District representatives for inspection, and Permittee agrees to cooperate fully in any reasonable inspection of the well and well site by the District representatives.
- (6) The application pursuant to which this Permit has been issued is incorporated in this Permit, and this Permit is granted on the basis of and contingent upon the accuracy of the information supplied in that application. A finding that false information has been supplied is grounds for immediate revocation of the permit.
- (7) Violation of this Permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawal, is punishable by civil penalties as provided by the District Rule 15.3, as well as revocation of the permit.
- (8) Permittee will use reasonable diligence to protect groundwater quality and will follow well-plugging guidelines at the time of well closure.

The issuance of this Permit does not grant to Permittee the right to use any private property, or any public property, for the production or conveyance of water. Neither does this permit authorize the invasion of any personal rights nor the violation of any federal, state, or local laws, rules or regulations. Further, the District makes no representations and shall have no responsibility with respect to the availability or quality of water authorized to be produced under this permit.

Brazos Valley Groundwater Conservation District

Alan M. Day, General Manager

 $\frac{3-16-20}{\text{Date}}$

Permit No. BVDO-0272

Operating Permit Issued By Direction of the Board of Directors of the Brazos Valley Groundwater Conservation District

This Operating Permit is granted to College Station Town Center, Inc. (Permittee) authorizing the Permittee to operate a water well known as Well #2 ("Well") at the location specified below within the Brazos Valley Groundwater Conservation District (District) for the beneficial purpose of producing water for Industrial use. Permittee is authorized to operate the Well located at N 30.57950270° and W 96.27046162° to produce water from the Yegua-Jackson Aquifer at an annual maximum capacity not to exceed 50 GPM and a maximum annual production of 60 acre feet/year.

Operating Permit Term:

- (a) An operating and drilling permit for a well or well site will automatically expire within three years from its issuance if the permitted well(s) has not been completed or is not significantly under development.
- (b) Unless specified otherwise by the Board or these Rules, operating permits are effective for five-year terms. At the end of each five-year term, the permit shall be renewed by the Board for an additional five-year term, upon submittal of a permit renewal application by the permit holder that provides adequate evidence of continued beneficial use for the permitted amount of water withdrawal. The District shall send notices to permit holders that contain the permit renewal applications, prior to permit expirations.
- (c) The District may amend or revoke an operating permit at any time if there is evidence of:
 - (1) the owner or operator of the well or well system has operated in violation of their permit, District Rules, or Chapter 36 of the Texas Water Code; or
 - (2) a change in the permit is required to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence; or
 - (3) The permitted well(s) has not been completed, is not significantly under construction; or no significant progress is being made toward construction.

This permit is issued and effective as of October 9, 2019. This permit was amended March 10, 2020 lengthening the permit term from one (1) year to five (5) years.

Special Provisions/Notes:

This Permit is granted subject to these Rules, orders of the Board, and the laws of the State of Texas. In addition to any special provisions or other requirements incorporated into the permit issued by the District.

- (1) This Permit is granted in accordance with provisions of the Rules of the District, including amendments, and acceptance of this Permit constitutes an acknowledgment and agreement that Permittee will comply with the Rules of the District.
- (2) This Permit confers only the right to operate the permitted well under the provisions of the District Rules and its terms may be modified or amended pursuant to the provisions of those Rules. To protect the permit holder from the illegal use of a new landowner, within ten (10) days after the date of sale of property containing a well having been issued an operating permit, the operating permit holder must notify the District in writing of the name of the new owner. Any person who becomes the owner of a currently permitted well must, within forty-five (45) calendar days from the date of the change in ownership, file an application for a permit amendment to affect a transfer of the permit.
- (3) The operation of the well for the authorized purposes must be conducted in a non-wasteful manner.
- (4) All groundwater production from non-exempt wells in the District is required to be metered, except for the groundwater produced from wells in the Brazos River Alluvium aquifer. The District maintains the discretion to require meters on wells in the Brazos River Alluvium Aquifer. Permittee shall maintain records of withdrawal on the property where the well is located or at its business office, and shall make those records available to the District for inspection. The Permittee shall submit complete, accurate, and timely metered pumpage and transport reports to the District annually, as requested by the District, no later than February first (1st) of each year.
- (5) The well site must be accessible to District representatives for inspection, and Permittee agrees to cooperate fully in any reasonable inspection of the well and well site by the District representatives.
- (6) The application pursuant to which this Permit has been issued is incorporated in this Permit, and this Permit is granted on the basis of and contingent upon the accuracy of the information supplied in that application. A finding that false information has been supplied is grounds for immediate revocation of the permit.
- (7) Violation of this Permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawal, is punishable by civil penalties as provided by the District Rule 15.3, as well as revocation of the permit.
- (8) Permittee will use reasonable diligence to protect groundwater quality and will follow well-plugging guidelines at the time of well closure.

The issuance of this Permit does not grant to Permittee the right to use any private property, or any public property, for the production or conveyance of water. Neither does this permit authorize the invasion of any personal rights nor the violation of any federal, state, or local laws, rules or regulations. Further, the District makes no representations and shall have no responsibility with respect to the availability or quality of water authorized to be produced under this permit.

Brazos Valley Groundwater Conservation District

Alan M. Day, General Manager

 $\frac{3-10-20}{\text{Date}}$

Appendix H

Water Quality Analysis

| Well #1 | Parameter | Average Concentration | Max. Concentration | No. of Samples | Sample Type | Sample Date/Time |
|---------|-----------------------|--------------------------|--------------------|-------------------|-------------|-------------------|
| | Sulfate, mg/L | 198 | 198 | 1 | Grab | 10-18-2021 / 1315 |
| | Chloride, mg/L | 530 | 530 | 1 | Grab | 10-18-2021 / 1315 |
| | Total Dissolved | | | | | |
| | Solids, mg/L | 1560 | 1560 | 1 | Grab | 10-18-2021 / 1315 |
| | pH, standard units | 8.2 | 8.2 | 1 | Grab | 10-18-2021 / 1315 |
| | Temperature*, degrees | | | | | |
| | Celsius | 21.4 | 21.4 | 1 | Grab | 10-18-2021 / 1315 |

^{*}Temperature measured onsite at the time collected

| | D (| Average | Max. | No. of | | |
|---------|-----------------------|---------------|---------------|---------|-------------|-------------------|
| Well #2 | Parameter | Concentration | Concentration | Samples | Sample Type | Sample Date/Time |
| | Sulfate, mg/L | <2 | <2 | 1 | Grab | 10-18-2021 / 1245 |
| | Chloride, mg/L | 520 | 520 | 1 | Grab | 10-18-2021 / 1245 |
| | Total Dissolved | | | | | |
| | Solids, mg/L | 1520 | 1520 | 1 | Grab | 10-18-2021 / 1245 |
| | pH, standard units | 8.0 | 8.0 | 1 | Grab | 10-18-2021 / 1245 |
| | Temperature*, degrees | | | | | |
| | Celsius | 21.4 | 21.4 | 1 | Grab | 10-18-2021 / 1248 |

^{*}Temperature measured onsite at the time collected