

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087 MC-160, Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-4770

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

Notice: This form will not be processed until 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.

1. **Data on Applicant and Project:** Social Security or Federal ID No. _____
 - A. Name: Blackfin Pipeline, LLC
 - B. Mailing Address: 100 Congress Avenue, Suite 2200, Austin, Texas 78701
 - C. Telephone Number: (720) 556-2820 Fax Number: _____ E-mail Address: [REDACTED]
 - D. Applicant owes fees or penalties? ☐ Yes ☒ No
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number: _____
 - E. Describe Use of Water The water will be used for hydrostatic testing.
 - F. Description of Project (TDH Project No. if applicable) Installation of a new 48-inch diameter natural gas pipeline.
 - G. Highway Designation No. _____ County Montgomery

2. **Type of Diversion (check one):** ☒ From Stream ☐ From Reservoir
3. **Rate of Diversion:**
 - A. Maximum _____ 5,000 gpm
(capacity of pump)

4. **Amount and Source of Water:**
46.03 acre-feet of water within a period of three years (specify term period not to exceed a three year term). The water is to be obtained from West Fork San Jacinto River, tributary of N/A, tributary of N/A, tributary of N/A, San Jacinto River Basin.

5. **Location of Diversion Point 1 (i.e., east bank/side diversion location):**
 At Latitude 30.269504 °N, Longitude -95.494178 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) HWY 336 (R-O-W) (Highway), located in Zip Code 77304, located 3.66 miles in a southwest direction from Conroe (County Seat), Montgomery County, and 3.66 miles in a southwest direction from Conroe, a nearby town shown on County road map. Note: Distance in straight line miles.

Location of Diversion Point 2 (i.e., west bank/side diversion location):

At Latitude 30.269600 °N, Longitude -95.494583 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) HWY 336 (R-O-W) (Highway), located in Zip Code 77304, located 3.73 miles in a southwest direction from Conroe (County Seat), Montgomery County, and 3.73 miles in a southwest direction from Conroe, a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

- | | | | |
|---|--|------------------|-----------------------|
| 6. Access to Diversion Point (check one): | 7. Fees Enclosed: | 10 ac-ft or less | greater than 10 ac-ft |
| <input type="checkbox"/> Public right-of-way | Filing _____ | \$ 100.00 | \$ 250.00 |
| <input checked="" type="checkbox"/> Private property
(A letter of permission from landowner is attached) | Recording _____ | \$ 1.25 | \$ 1.25 |
| <input type="checkbox"/> Other (Explain) _____ | Use (\$1.00 per ac-ft or fraction thereof) | \$ _____ | \$ _____ |
| | (Note: 1 ac-ft = 325,851 gals. Total) | \$ _____ | \$ _____ |
| | 1 ac-ft = 7758.35 bbls.) | | |

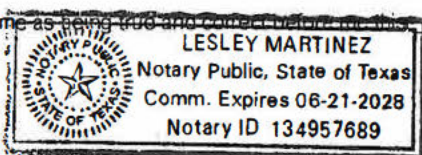
Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Leslie Martinez
Name (sign)

Leslie Kelton
Name (print)

RECEIVED

Subscribed and sworn to me as being true and correct before me this 8th day of October, 2024



Leslie Martinez
Notary Public, State of Texas

OCT 16 2024
Water Availability Division

2 of 3
3

October 8, 2024

Texas Commission on Environmental Quality
P.O. Box 13087 MC-160
Austin, TX 78711-3087
(512) 239-4600

**Re: Request for Temporary Water Use Permit, Up to 46.03 Acre-Feet
Blackfin Pipeline, LLC
Blackfin Pipeline
Montgomery County, Texas**

Dear Texas Commission on Environmental Quality:

Blackfin Pipeline, LLC (Blackfin) requests permission to withdraw water from the West Fork San Jacinto River in Montgomery County, Texas to hydrostatically test the Blackfin Pipeline. Specifically, Blackfin proposes to withdraw up to 46.03 acre-feet (15,000,000 gallons) of water between the east bank diversion (30.269504°, -95.494178°) and west bank diversion (30.269600°, -95.494583°) to conduct hydrostatic testing of new steel, 48-inch-diameter pipe, for a period of less than three years. Subsequent to completion of hydrostatic testing, it is assumed that all diverted water will be returned to the West Fork San Jacinto River at the same locations.

Enclosed are a Texas Commission on Environmental Quality (TCEQ) Temporary Water Use Permit Application Form (TCEQ-10202), maps of the proposed diversion locations, environmental measures, copies of easement agreements, and payment check for TCEQ review and approval.

Construction began October 7, 2024, and based on the current project schedule, which is subject to change, is estimated to be complete by December 31, 2025. Water withdrawal will be conducted during construction and is proposed for a one-time use over a 30-60 day duration.

Should you have questions or require additional information/coordination please contact me at 720-556-2820 (email at [REDACTED]). Following issuance of the permit, please e-mail me a copy of the permit.

Sincerely,



Leslie Kelton
Senior Project Manager
Blackfin Pipeline, LLC

Attachments: Attachment 1 – TCEQ Form 10202, Attachment 2 – Maps, Attachment 3 – Environmental Measures, Attachment 4 – Copy of Easement Agreements, Attachment 5 – Payment Check

RECEIVED

OCT 16 2024

Water Availability Division

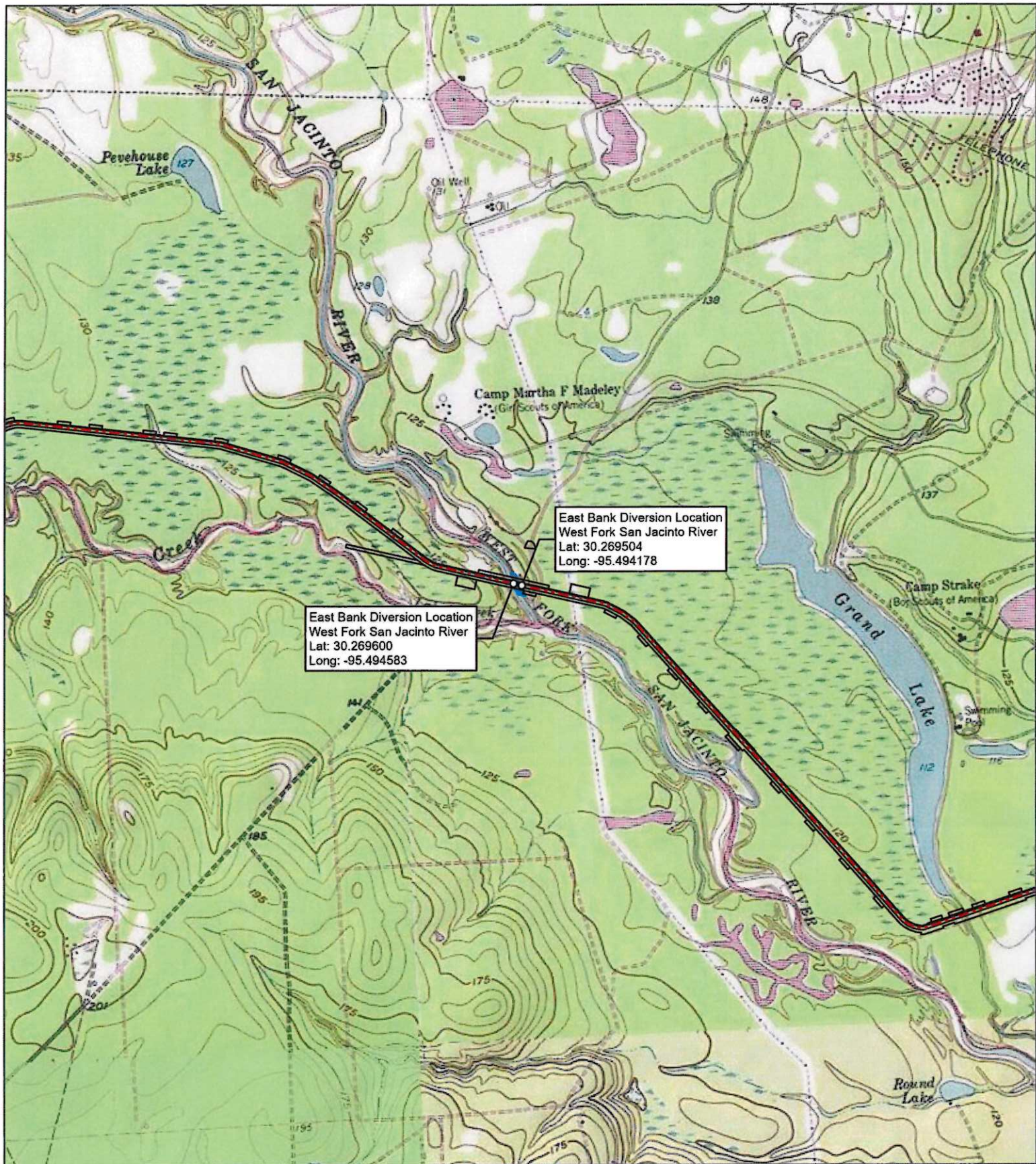
CK# 60121

ATTACHMENT 1

Form TCEQ-10202

ATTACHMENT 2

Maps



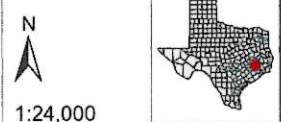
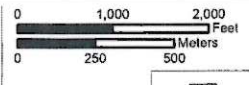
BLACKFIN PIPELINE PROJECT
USACE GALVESTON DISTRICT

Hydrotest Location Map

West Fork San
Jacinto River

- Project Centerline
- o Hydrotest Location
- Workspace
- Surveyed Waterbody

Montgomery County, Texas
NAD 1983 StatePlane Texas
Central FIPS 4203 Feet
30.2695°N 95.4942°W



Base Map: Esri ArcGIS Online,
accessed November 2023
Updated: 11/30/2023
Project No. XXXXX
Layout: Blackfin Hydrotest Mapbook
Aprx: 60282 Blackfin Pipeline NR

1:24,000

SWCA
ENVIRONMENTAL CONSULTANTS

ATTACHMENT 3
Environmental Measures

Impingement and Entrainment

Blackfin Pipeline, LLC (the Applicant) will take reasonable measures to avoid impingement and entrainment of aquatic organisms for each diversion structure including, but not limited to, screens.

ATTACHMENT 4

Copy of Easement Agreements

CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,
Plaintiff,

VS.

CONROE CS TEXAS HOLDINGS, LP,
Defendant(s).

§ PROCEEDINGS IN EMINENT DOMAIN
§
§
§ IN THE PROBATE COURT NO. 1
§
§
§
§ MONTGOMERY COUNTY, TEXAS

**ORDER APPROVING DEPOSIT AND
BONDS AND GRANTING WRIT OF POSSESSION**

On this day, the NOTICE OF DEPOSIT AND BONDS filed by counsel for BLACKFIN PIPELINE, LLC, Plaintiff, was presented to the Court for review, and after considering same, the Court has determined and finds that Plaintiff has properly: (1) deposited into the registry of the Court the amount required by §21.021(a)(1) of the TEXAS PROPERTY CODE, (2) filed with the Court a Condemnation Bond as required by § 21.021(a)(2) of the TEXAS PROPERTY CODE, to secure the payment of an award of damages in excess of the award of special commissioners; and (3) filed with the Court a Cost Bond pursuant to §21.021(a)(3) of the TEXAS PROPERTY CODE, to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal. The Court finds and is of the opinion that such Condemnation Bond and Cost Bond filed by Plaintiff should be and are hereby approved by the Court.

IT IS THEREFORE ORDERED that Plaintiff's deposit and bonds pursuant to §§21.021(a)(1)- (a)(3) of the TEXAS PROPERTY CODE are approved.

IT IS FURTHER ORDERED that, because Plaintiff has complied with §21.021 of the TEXAS PROPERTY CODE, Plaintiff is entitled to take possession of the condemned property, as depicted and described in Plaintiff's most recent Petition for Condemnation, and writ of possession be issued to Plaintiff by the Clerk of this Court.

IT IS FURTHER ORDERED that Defendant shall be entitled to withdraw the funds deposited by Plaintiff pursuant to §21.021(a)(1) of the TEXAS PROPERTY CODE only after Order of this Court ruling that Defendant has satisfied the requirements of §21.0211 of the TEXAS PROPERTY CODE.

9/30/2024 10:52:53 AM

Entered this _____ day of _____, 2024.



JUDGE PRESIDING

Received From Court Signed
09/30/2024 11:16:41 AM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

SUBMITTED BY:

BAKER MORAN DOGGETT MA & DOBBS LLP

By: /s/ Michael E. Ma

JOHN P. BAKER
State Bar No. 24040460

MICHAEL E. MA
State Bar No. 24060202

1400 Preston Road, Suite 295
Plano, Texas 75093-3601
Telephone: (469) 351-3500
Facsimile: (469) 351-3490

**ATTORNEYS FOR PLAINTIFF
BLACKFIN PIPELINE, LLC**

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

[REDACTED]

Envelope ID: 92439204

Filing Code Description: Notice

Filing Description: Notice of Deposit and Bonds

Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John Baker		[REDACTED]	9/25/2024 1:22:19 PM	SENT
Drenda Roman			9/25/2024 1:22:19 PM	SENT
Marcy Anderson			9/25/2024 1:22:19 PM	SENT
Michael E.Ma			9/25/2024 1:22:19 PM	SENT
Jordan A.Miller			9/25/2024 1:22:19 PM	SENT

Bond No. 20BSBJG3254

CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,
Plaintiff,

VS.

CONROE CS TEXAS HOLDINGS, LP,
Defendant(s).

§ PROCEEDINGS IN EMINENT DOMAIN
§
§
§ IN THE PROBATE COURT NO. 1
§
§
§
§ MONTGOMERY COUNTY, TEXAS

CONDEMNATION BOND

WHEREAS, the Special Commissioners convened on the 26th day of August 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS, Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(2) of the Texas Property Code to deposit this bond:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Blackfin Pipeline, LLC, as Principal, and Hartford Fire Insurance Company, as Corporate Surety, authorized to do business in the State of Texas, are held and firmly bound unto Defendants in the penal sum of FOUR MILLION DOLLARS (\$4,000,000.00) for the payment of which we and each of us bind ourselves and assigns, jointly and severally. The condition of this bond is that Blackfin Pipeline, LLC, Plaintiff in this action, will pay all damages in excess of the Award of the Special Commissioners that may be awarded or adjudged against it, either in the Court below or upon appeal.

WITNESS our hands this the 28 day of August 2024.

[Remainder of Page Intentionally Left Blank]

PRINCIPAL:

BLACKFIN PIPELINE, LLC

By: Jonathan W. Thayer
Name: Jonathan W. Thayer
Title: Chief Financial Officer

CORPORATE SURETY:

HARTFORD FIRE INSURANCE COMPANY



By: Debra C. Schneider
Name: Debra C. Schneider
Title: Attorney-in-Fact

9/27/2024 2:23:54 PM

The foregoing Condemnation Bond is approved and filed on this _____ day of _____
2024.

Laird

PRESIDING JUDGE

Received From Court Signed
09/27/2024 2:30:35 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
☐ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 28, 2024.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Marcy Anderson on behalf of Michael Ma
Bar No. 24060202
[REDACTED]

Envelope ID: 92439204

Filing Code Description: Notice

Filing Description: Notice of Deposit and Bonds

Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael E. Ma		[REDACTED]	9/25/2024 1:22:19 PM	SENT
Marcy Anderson			9/25/2024 1:22:19 PM	SENT
John Baker			9/25/2024 1:22:19 PM	SENT
Drenda Roman			9/25/2024 1:22:19 PM	SENT
Jordan A. Miller			9/25/2024 1:22:19 PM	SENT

CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	
VS.	§	IN THE PROBATE COURT NO. 1
	§	
CONROE CS TEXAS HOLDINGS, LP,	§	
Defendant(s).	§	MONTGOMERY COUNTY, TEXAS

COST BOND

WHEREAS, the Special Commissioners convened on the 26th day of August 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(3) of the Texas Property Code to deposit this bond;

NOW, THEREFORE, WE, Blackfin Pipeline, LLC, as Principal, and Hartford Casualty Insurance Company and Hartford Fire Insurance Company, as Corporate Sureties qualified to do business in Texas, are held and firmly bound in the sum of THREE THOUSAND Dollars (\$3,000.00) conditioned to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal, which we and each of us bind ourselves and assigns, jointly and severally.

Now, therefore, if said Blackfin Pipeline, LLC will pay, or cause to be paid, such additional costs that may be awarded to Defendants by the trial court or on appeal, then this action be null and void; otherwise to be and remain in full force and effect.

WITNESS our hands this the 28 day of August 2024.

[Remainder of Page Intentionally Left Blank]

BLACKFIN PIPELINE, LLC

Principal

By: Jonathan W. Thayer

Name: Jonathan W. Thayer

Title: Chief Financial Officer

**HARTFORD CASUALTY INSURANCE
COMPANY**

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

HARTFORD FIRE INSURANCE COMPANY

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact



9/27/2024 2:24:05 PM

The foregoing Cost Bond is approved and filed on this _____ day of _____, 2024.

Lair

PRESIDING JUDGE

Received From Court Signed
09/27/2024 2:30:52 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
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- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 28, 2024.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

Automated Certificate of eService

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Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 92439204
Filing Code Description: Notice
Filing Description: Notice of Deposit and Bonds
Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
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Drenda Roman			9/25/2024 1:22:19 PM	SENT
Michael E.Ma			9/25/2024 1:22:19 PM	SENT
Jordan A.Miller			9/25/2024 1:22:19 PM	SENT

Bond No. 20BSBJF9390

CAUSE NO. 24-33848

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	PROBATE COURT NO. 1
VS.	§	
	§	
HUNT SAND AND GRAVEL, LLC, ET AL,	§	
Defendants.	§	MONTGOMERY COUNTY, TEXAS

CONDEMNATION BOND

WHEREAS, the Special Commissioners convened on the 8th day of July 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS, Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(2) of the Texas Property Code to deposit this bond:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Blackfin Pipeline, LLC, as Principal, and Hartford Fire Insurance Company, as Corporate Surety, authorized to do business in the State of Texas, are held and firmly bound unto Defendants in the penal sum of ONE HUNDRED THOUSAND THREE HUNDRED TWENTY DOLLARS (\$100,320.00) for the payment of which we and each of us bind ourselves and assigns, jointly and severally. The condition of this bond is that Blackfin Pipeline, LLC, Plaintiff in this action, will pay all damages in excess of the Award of the Special Commissioners that may be awarded or adjudged against it, either in the Court below or upon appeal.

WITNESS our hands this the 24 day of July 2024.

[Remainder of Page Intentionally Left Blank]

PRINCIPAL:

BLACKFIN PIPELINE, LLC

By: Jonathan W. Thayer
Name: Jonathan W. Thayer

Title: Chief Financial Officer

CORPORATE SURETY:

HARTFORD FIRE INSURANCE COMPANY



By: Debra C. Schneider
Name: Debra C. Schneider

Title: Attorney-in-Fact

8/20/2024 10:20:28 AM

The foregoing Condemnation Bond is approved and filed on this _____ day of _____, 2024.

Laird
Judge Presiding

Received From Court Signed
08/20/2024 10:22:15 AM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

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Agency Name: MARSH USA LLC

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☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of July 24, 2024.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

Automated Certificate of eService

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Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 91030090

Filing Code Description: Bond

Filing Description: Condemnation Bond - Unsigned

Status as of 8/19/2024 9:40 AM CST

Associated Case Party: Blackfin Pipeline, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Jordan A. Miller			8/18/2024 3:54:20 PM	SENT
Michael E. Ma			8/18/2024 3:54:20 PM	SENT
Marcy Anderson			8/18/2024 3:54:20 PM	SENT
John Baker			8/18/2024 3:54:20 PM	SENT
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Andrew C. Cox			8/18/2024 3:54:20 PM	SENT
Andrea Whitney			8/18/2024 3:54:20 PM	SENT

Associated Case Party: Hunt Sand and Gravel, LLC

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Charles McFarland			8/18/2024 3:54:20 PM	SENT
Laura Manion			8/18/2024 3:54:20 PM	SENT
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POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
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- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

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Dani V. Aedo			8/18/2024 3:54:20 PM	SENT

CAUSE NO. 24-33848

BLACKFIN PIPELINE, LLC,
Plaintiff,

VS.

HUNT SAND AND GRAVEL, LLC, ET AL.,
Defendant.

§
§
§
§
§
§
§

PROCEEDINGS IN EMINENT DOMAIN

IN THE PROBATE COURT NO. 1

MONTGOMERY COUNTY, TEXAS

**ORDER APPROVING DEPOSIT AND
BONDS AND GRANTING WRIT OF POSSESSION**

On this day, the NOTICE OF DEPOSIT AND BONDS filed by counsel for BLACKFIN PIPELINE, LLC, Plaintiff, was presented to the Court for review, and after considering same, the Court has determined and finds that Plaintiff has properly: (1) deposited into the registry of the Court the amount required by §21.021(a)(1) of the TEXAS PROPERTY CODE, (2) filed with the Court a Condemnation Bond as required by § 21.021(a)(2) of the TEXAS PROPERTY CODE, to secure the payment of an award of damages in excess of the award of special commissioners; and (3) filed with the Court a Cost Bond pursuant to §21.021(a)(3) of the TEXAS PROPERTY CODE, to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal. The Court finds and is of the opinion that such Condemnation Bond and Cost Bond filed by Plaintiff should be and are hereby approved by the Court.

IT IS THEREFORE ORDERED that Plaintiff's deposit and bonds pursuant to §§21.021(a)(1)- a(3) of the TEXAS PROPERTY CODE are approved.

IT IS FURTHER ORDERED that, because Plaintiff has complied with §21.021 of the TEXAS PROPERTY CODE, Plaintiff is entitled to take possession of the condemned property, as depicted and described in Plaintiff's most recent Petition for Condemnation, and writ of possession be issued to Plaintiff by the Clerk of this Court. IT IS FURTHER ORDERED that Defendant shall be entitled to withdraw the funds deposited by Plaintiff pursuant to §21.021(a)(1) of the TEXAS

PROPERTY CODE only after Order of this Court ruling that Defendant has satisfied the requirements of §21.0211 of the TEXAS PROPERTY CODE.

8/23/2024 10:16:41 AM

Entered this ____ day of _____, 2024.

JUDGE PRESIDING




Received From Court Signed
08/23/2024 12:18:59 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
McDaris, Danielle


SUBMITTED BY:

BAKER MORAN DOGGETT MA & DOBBS LLP

By: /s/ Michael E. Ma

JOHN P. BAKER
State Bar No. 24040460


MICHAEL E. MA
State Bar No. 24060202


1400 Preston Road, Suite 295
Plano, Texas 75093-3601
Telephone: (469) 351-3500
Facsimile: (469) 351-3490

**ATTORNEYS FOR PLAINTIFF
BLACKFIN PIPELINE, LLC**

Bond No. 20BSBJF9391

CAUSE NO. 24-33848

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	PROBATE COURT NO. 1
VS.	§	
	§	
HUNT SAND AND GRAVEL, LLC, ET AL,	§	
Defendants.	§	MONTGOMERY COUNTY, TEXAS

COST BOND

WHEREAS, the Special Commissioners convened on the 8th day of July 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(3) of the Texas Property Code to deposit this bond;

NOW, THEREFORE, WE, Blackfin Pipeline, LLC, as Principal, and Hartford Casualty Insurance Company and Hartford Fire Insurance Company, as Corporate Sureties qualified to do business in Texas, are held and firmly bound in the sum of THREE THOUSAND DOLLARS and 00/100 Dollars (\$3,000.00) conditioned to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal, which we and each of us bind ourselves and assigns, jointly and severally.

Now, therefore, if said Blackfin Pipeline, LLC will pay, or cause to be paid, such additional costs that may be awarded to Defendants by the trial court or on appeal, then this action be null and void; otherwise to be and remain in full force and effect.

WITNESS our hands this the 24 day of July 2024.

[Remainder of Page Intentionally Left Blank]

BLACKFIN PIPELINE, LLC

Principal

By: Jonathan W. Thayer

Name: Jonathan W. Thayer

Title: Chief Financial Officer

**HARTFORD CASUALTY INSURANCE
COMPANY**

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

HARTFORD FIRE INSURANCE COMPANY

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

8/20/2024 10:20:39 AM

The foregoing Cost Bond is approved and filed on this _____ day of _____, 2024.



PRESIDING JUDGE

Received From Court Signed
08/20/2024 10:22:53 AM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

Automated Certificate of eService

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Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 91030090

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Filing Description: Condemnation Bond - Unsigned

Status as of 8/19/2024 9:40 AM CST

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Thazin Htet			8/18/2024 3:54:20 PM	SENT
Dani V.Aedo			8/18/2024 3:54:20 PM	SENT

Bond No. 20BSBJF9390

CAUSE NO. 24-33848

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	PROBATE COURT NO. 1
VS.	§	
	§	
HUNT SAND AND GRAVEL, LLC, ET AL,	§	
Defendants.	§	MONTGOMERY COUNTY, TEXAS

CONDEMNATION BOND

WHEREAS, the Special Commissioners convened on the 8th day of July 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS, Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(2) of the Texas Property Code to deposit this bond:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Blackfin Pipeline, LLC, as Principal, and Hartford Fire Insurance Company, as Corporate Surety, authorized to do business in the State of Texas, are held and firmly bound unto Defendants in the penal sum of ONE HUNDRED THOUSAND THREE HUNDRED TWENTY DOLLARS (\$100,320.00) for the payment of which we and each of us bind ourselves and assigns, jointly and severally. The condition of this bond is that Blackfin Pipeline, LLC, Plaintiff in this action, will pay all damages in excess of the Award of the Special Commissioners that may be awarded or adjudged against it, either in the Court below or upon appeal.

WITNESS our hands this the 24 day of July 2024.

[Remainder of Page Intentionally Left Blank]

PRINCIPAL:

BLACKFIN PIPELINE, LLC

By: Jonathan W. Thayer
Name: Jonathan W. Thayer

Title: Chief Financial Officer

CORPORATE SURETY:

HARTFORD FIRE INSURANCE COMPANY



By: Debra C. Schneider
Name: Debra C. Schneider

Title: Attorney-in-Fact

8/20/2024 10:20:28 AM

The foregoing Condemnation Bond is approved and filed on this _____ day of _____, 2024.

Laird
Judge Presiding

Received From Court Signed
08/20/2024 10:22:15 AM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

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having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider
of
St. Louis, MO

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In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

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Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

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CAUSE NO. 24-33848

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	§	PROBATE COURT NO. 1
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	§	
HUNT SAND AND GRAVEL, LLC, ET AL,	§	
Defendants.	§	MONTGOMERY COUNTY, TEXAS

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WHEREAS Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(3) of the Texas Property Code to deposit this bond;

NOW, THEREFORE, WE, Blackfin Pipeline, LLC, as Principal, and Hartford Casualty Insurance Company and Hartford Fire Insurance Company, as Corporate Sureties qualified to do business in Texas, are held and firmly bound in the sum of THREE THOUSAND DOLLARS and 00/100 Dollars (\$3,000.00) conditioned to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal, which we and each of us bind ourselves and assigns, jointly and severally.

Now, therefore, if said Blackfin Pipeline, LLC will pay, or cause to be paid, such additional costs that may be awarded to Defendants by the trial court or on appeal, then this action be null and void; otherwise to be and remain in full force and effect.

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Principal

By: Jonathan W. Thayer

Name: Jonathan W. Thayer

Title: Chief Financial Officer

**HARTFORD CASUALTY INSURANCE
COMPANY**

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

HARTFORD FIRE INSURANCE COMPANY

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

8/20/2024 10:20:39 AM

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COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

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Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

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Keith D. Dozols

Keith D. Dozols, Assistant Vice President

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CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	
VS.	§	IN THE PROBATE COURT NO. 1
	§	
CONROE CS TEXAS HOLDINGS, LP,	§	
Defendant(s).	§	MONTGOMERY COUNTY, TEXAS

CONDEMNATION BOND

WHEREAS, the Special Commissioners convened on the 26th day of August 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS, Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(2) of the Texas Property Code to deposit this bond:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, Blackfin Pipeline, LLC, as Principal, and Hartford Fire Insurance Company, as Corporate Surety, authorized to do business in the State of Texas, are held and firmly bound unto Defendants in the penal sum of FOUR MILLION DOLLARS (\$4,000,000.00) for the payment of which we and each of us bind ourselves and assigns, jointly and severally. The condition of this bond is that Blackfin Pipeline, LLC, Plaintiff in this action, will pay all damages in excess of the Award of the Special Commissioners that may be awarded or adjudged against it, either in the Court below or upon appeal.

WITNESS our hands this the 28 day of August 2024.

[Remainder of Page Intentionally Left Blank]

PRINCIPAL:

BLACKFIN PIPELINE, LLC

By: Jonathan W. Thayer
Name: Jonathan W. Thayer
Title: Chief Financial Officer

CORPORATE SURETY:

HARTFORD FIRE INSURANCE COMPANY



By: Debra C. Schneider
Name: Debra C. Schneider
Title: Attorney-in-Fact

9/27/2024 2:23:54 PM

The foregoing Condemnation Bond is approved and filed on this _____ day of _____
2024.

Pair
PRESIDING JUDGE

Received From Court Signed
09/27/2024 2:30:35 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 28, 2024.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 92439204
Filing Code Description: Notice
Filing Description: Notice of Deposit and Bonds
Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Michael E. Ma			9/25/2024 1:22:19 PM	SENT
Marcy Anderson			9/25/2024 1:22:19 PM	SENT
John Baker			9/25/2024 1:22:19 PM	SENT
Drenda Roman			9/25/2024 1:22:19 PM	SENT
Jordan A. Miller			9/25/2024 1:22:19 PM	SENT

Bond No. 20BSBJG3255

CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	
VS.	§	IN THE PROBATE COURT NO. 1
	§	
	§	
CONROE CS TEXAS HOLDINGS, LP,	§	
Defendant(s).	§	MONTGOMERY COUNTY, TEXAS

COST BOND

WHEREAS, the Special Commissioners convened on the 26th day of August 2024 in the above styled and numbered proceeding in condemnation, and after listening to the arguments of all parties present, entered an Award of Special Commissioners; and

WHEREAS Blackfin Pipeline, LLC, Plaintiff herein, desires to enter upon and take possession of the properties sought to be condemned pending further litigation herein, and has made the deposits and payments required by law for that purpose and is further required by §21.021(a)(3) of the Texas Property Code to deposit this bond;

NOW, THEREFORE, WE, Blackfin Pipeline, LLC, as Principal, and Hartford Casualty Insurance Company and Hartford Fire Insurance Company, as Corporate Sureties qualified to do business in Texas, are held and firmly bound in the sum of THREE THOUSAND Dollars (\$3,000.00) conditioned to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal, which we and each of us bind ourselves and assigns, jointly and severally.

Now, therefore, if said Blackfin Pipeline, LLC will pay, or cause to be paid, such additional costs that may be awarded to Defendants by the trial court or on appeal, then this action be null and void; otherwise to be and remain in full force and effect.

WITNESS our hands this the 28 day of August 2024.

[Remainder of Page Intentionally Left Blank]

BLACKFIN PIPELINE, LLC

Principal

By: Jonathan W. Thayer

Name: Jonathan W. Thayer

Title: Chief Financial Officer

**HARTFORD CASUALTY INSURANCE
COMPANY**

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact

HARTFORD FIRE INSURANCE COMPANY

Surety

By: Debra C. Schneider

Name: Debra C. Schneider

Title: Attorney-in-Fact



9/27/2024 2:24:05 PM

The foregoing Cost Bond is approved and filed on this _____ day of _____, 2024.

Lair
PRESIDING JUDGE

Received From Court Signed
09/27/2024 2:30:52 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH USA LLC

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- ☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- ☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- ☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Debra C. Schneider

of

St. Louis, MO

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 28, 2024.

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President

Automated Certificate of eService

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Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

[REDACTED]

Envelope ID: 92439204

Filing Code Description: Notice

Filing Description: Notice of Deposit and Bonds

Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Marcy Anderson		[REDACTED]	9/25/2024 1:22:19 PM	SENT
John Baker			9/25/2024 1:22:19 PM	SENT
Drenda Roman			9/25/2024 1:22:19 PM	SENT
Michael E. Ma			9/25/2024 1:22:19 PM	SENT
Jordan A. Miller			9/25/2024 1:22:19 PM	SENT

CAUSE NO. 24-33870

BLACKFIN PIPELINE, LLC,
Plaintiff,

VS.

CONROE CS TEXAS HOLDINGS, LP,
Defendant(s).

§ PROCEEDINGS IN EMINENT DOMAIN
§
§
§ IN THE PROBATE COURT NO. 1
§
§
§
§ MONTGOMERY COUNTY, TEXAS

**ORDER APPROVING DEPOSIT AND
BONDS AND GRANTING WRIT OF POSSESSION**

On this day, the NOTICE OF DEPOSIT AND BONDS filed by counsel for BLACKFIN PIPELINE, LLC, Plaintiff, was presented to the Court for review, and after considering same, the Court has determined and finds that Plaintiff has properly: (1) deposited into the registry of the Court the amount required by §21.021(a)(1) of the TEXAS PROPERTY CODE, (2) filed with the Court a Condemnation Bond as required by § 21.021(a)(2) of the TEXAS PROPERTY CODE, to secure the payment of an award of damages in excess of the award of special commissioners; and (3) filed with the Court a Cost Bond pursuant to §21.021(a)(3) of the TEXAS PROPERTY CODE, to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal. The Court finds and is of the opinion that such Condemnation Bond and Cost Bond filed by Plaintiff should be and are hereby approved by the Court.

IT IS THEREFORE ORDERED that Plaintiff's deposit and bonds pursuant to §§21.021(a)(1)- (a)(3) of the TEXAS PROPERTY CODE are approved.

IT IS FURTHER ORDERED that, because Plaintiff has complied with §21.021 of the TEXAS PROPERTY CODE, Plaintiff is entitled to take possession of the condemned property, as depicted and described in Plaintiff's most recent Petition for Condemnation, and writ of possession be issued to Plaintiff by the Clerk of this Court.

IT IS FURTHER ORDERED that Defendant shall be entitled to withdraw the funds deposited by Plaintiff pursuant to §21.021(a)(1) of the TEXAS PROPERTY CODE only after Order of this Court ruling that Defendant has satisfied the requirements of §21.0211 of the TEXAS PROPERTY CODE.

9/30/2024 10:52:53 AM

Entered this _____ day of _____, 2024.



JUDGE PRESIDING

Received From Court Signed
09/30/2024 11:16:41 AM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
Flores, Kiarra

SUBMITTED BY:

BAKER MORAN DOGGETT MA & DOBBS LLP

By: /s/ Michael E. Ma

JOHN P. BAKER
State Bar No. 24040460

MICHAEL E. MA
State Bar No. 24060202

1400 Preston Road, Suite 295
Plano, Texas 75093-3601
Telephone: (469) 351-3500
Facsimile: (469) 351-3490

**ATTORNEYS FOR PLAINTIFF
BLACKFIN PIPELINE, LLC**

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 92439204

Filing Code Description: Notice

Filing Description: Notice of Deposit and Bonds

Status as of 9/25/2024 1:44 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
John Baker			9/25/2024 1:22:19 PM	SENT
Drenda Roman			9/25/2024 1:22:19 PM	SENT
Marcy Anderson			9/25/2024 1:22:19 PM	SENT
Michael E. Ma			9/25/2024 1:22:19 PM	SENT
Jordan A. Miller			9/25/2024 1:22:19 PM	SENT

CAUSE NO. 24-33848

BLACKFIN PIPELINE, LLC,	§	PROCEEDINGS IN EMINENT DOMAIN
Plaintiff,	§	
	§	
VS.	§	IN THE PROBATE COURT NO. 1
	§	
HUNT SAND AND GRAVEL, LLC, ET AL.,	§	
Defendant.	§	MONTGOMERY COUNTY, TEXAS

**ORDER APPROVING DEPOSIT AND
BONDS AND GRANTING WRIT OF POSSESSION**

On this day, the NOTICE OF DEPOSIT AND BONDS filed by counsel for BLACKFIN PIPELINE, LLC, Plaintiff, was presented to the Court for review, and after considering same, the Court has determined and finds that Plaintiff has properly: (1) deposited into the registry of the Court the amount required by §21.021(a)(1) of the TEXAS PROPERTY CODE, (2) filed with the Court a Condemnation Bond as required by § 21.021(a)(2) of the TEXAS PROPERTY CODE, to secure the payment of an award of damages in excess of the award of special commissioners; and (3) filed with the Court a Cost Bond pursuant to §21.021(a)(3) of the TEXAS PROPERTY CODE, to secure the payment of additional costs that may be awarded to the property owner by the trial court or on appeal. The Court finds and is of the opinion that such Condemnation Bond and Cost Bond filed by Plaintiff should be and are hereby approved by the Court.

IT IS THEREFORE ORDERED that Plaintiff's deposit and bonds pursuant to §§21.021(a)(1)- a(3) of the TEXAS PROPERTY CODE are approved.

IT IS FURTHER ORDERED that, because Plaintiff has complied with §21.021 of the TEXAS PROPERTY CODE, Plaintiff is entitled to take possession of the condemned property, as depicted and described in Plaintiff's most recent Petition for Condemnation, and writ of possession be issued to Plaintiff by the Clerk of this Court. IT IS FURTHER ORDERED that Defendant shall be entitled to withdraw the funds deposited by Plaintiff pursuant to §21.021(a)(1) of the TEXAS

PROPERTY CODE only after Order of this Court ruling that Defendant has satisfied the requirements of §21.0211 of the TEXAS PROPERTY CODE.

8/23/2024 10:16:41 AM

Entered this _____ day of _____, 2024.

JUDGE PRESIDING



Received From Court Signed
08/23/2024 12:18:59 PM
L. BRANDON STEINMANN
COUNTY CLERK
Montgomery County, Texas
McDaris, Danielle

SUBMITTED BY:

BAKER MORAN DOGGETT MA & DOBBS LLP

By: /s/ Michael E. Ma

JOHN P. BAKER
State Bar No. 24040460

MICHAEL E. MA
State Bar No. 24060202

1400 Preston Road, Suite 295
Plano, Texas 75093-3601
Telephone: (469) 351-3500
Facsimile: (469) 351-3490

**ATTORNEYS FOR PLAINTIFF
BLACKFIN PIPELINE, LLC**

Automated Certificate of eService

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Marcy Anderson on behalf of Michael Ma
Bar No. 24060202

Envelope ID: 91238942

Filing Code Description: Proposed Order

Filing Description: Order Approving Deposit and Bonds and Granting Writ of Possession - Unsigned

Status as of 8/23/2024 8:22 AM CST

Associated Case Party: Blackfin Pipeline, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Jordan A. Miller			8/22/2024 7:00:35 PM	SENT
Michael E. Ma			8/22/2024 7:00:35 PM	SENT
Marcy Anderson			8/22/2024 7:00:35 PM	SENT
John Baker			8/22/2024 7:00:35 PM	SENT
Drenda Roman			8/22/2024 7:00:35 PM	SENT
Andrew C. Cox			8/22/2024 7:00:35 PM	SENT
Andrea Whitney			8/22/2024 7:00:35 PM	SENT

Associated Case Party: Hunt Sand and Gravel, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Charles McFarland			8/22/2024 7:00:35 PM	SENT
Laura Manion			8/22/2024 7:00:35 PM	SENT
Pamela Milliner			8/22/2024 7:00:35 PM	SENT
Lou Russell			8/22/2024 7:00:35 PM	SENT
Emily Connaway			8/22/2024 7:00:35 PM	SENT
Thazin Htet			8/22/2024 7:00:35 PM	SENT
Dani V. Aedo			8/22/2024 7:00:35 PM	SENT

ATTACHMENT 5

Payment Check