

# 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): Park 20-360 Investors, LLC

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 not required for every application).

Y/N

- Administrative Information Report**
- Additional Co-Applicant Information
- Additional Co-Applicant Signature Pages
- Written Evidence of Signature Authority
- Technical Information Report**
- USGS Map (or equivalent)
- Map Showing Project Details
- Original Photographs
- Water Availability Analysis
- Worksheet 1.0**
- Recorded Deeds for Irrigated Land
- Consent For Irrigation Land
- Worksheet 1.1**
- Addendum to Worksheet 1.1
- Worksheet 1.2**
- Addendum to Worksheet 1.2
- Worksheet 2.0**
- Additional W.S 2.0 for Each Reservoir
- Dam Safety Documents
- Notice(s) to Governing Bodies
- Recorded Deeds for Inundated Land
- Consent For Inundation Land

Y/N

- Worksheet 3.0**
- Additional W.S 3.0 for each Point
- Recorded Deeds for Diversion Points
- Consent For Diversion Access
- Worksheet 4.0**
- TPDES Permit(s)
- WWTP Discharge Data
- 24-hour Pump Test
- Groundwater Well Permit
- Signed Water Supply Contract
- Worksheet 4.1**
- Worksheet 5.0**
- Addendum to Worksheet 5.0
- Worksheet 6.0**
- Water Conservation Plan(s)
- Drought Contingency Plan(s)
- Documentation of Adoption
- Worksheet 7.0**
- Accounting Plan
- Worksheet 8.0**
- Fees

**For Commission Use Only:**

Proposed/Current Water Right Number: ADJ3405

Basin: 8 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)

Indicate, by marking X, next to the following authorizations you are seeking.

New Appropriation of State Water

Amendment to a Water Right \*

Bed and Banks

***\*If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2, does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.***

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

Please see the attache Summary of Request

---

---

---

---

---

---

---

---

---

---



## SUMMARY OF REQUEST

The applicant wishes to amend their existing water right, which was granted on 30 October 1978 to impound 27 acre feet (ac ft) of an unnamed tributary to Fish Creek. This water right was transferred to new ownership in 2016, with the water right remaining the same. The applicant is proposing to convert a portion of the water right from recreational use to irrigation use. The applicant is also seeking a bed and banks permit to divert groundwater into the impoundment to compensate for the anticipated annual irrigation usage and expected negligible evaporative losses during the peak summer period. The impoundment has been reconfigured to hold 22.2 ac ft and the anticipated balanced annual irrigation withdrawal and diversion would be 3.37 ac ft.

The water right is located within the Region C Planning Group in the City of Arlington. The applicant is requesting this amendment and bed and banks permit to reduce municipal surface water demand for irrigation purposes by using an alternative source; thereby, negligibly reducing municipal demand for surface water in a rapidly growing North-Central Texas. The 2020 Water Plan indicates that Region C, will have a 67 percent increase in water demand from 2020 to 2070. Region C is noted as having the largest annual municipal water need, increasing from 43,000 ac ft in 2020 to 1.2 million ac ft by 2070. Region C anticipates an annual shortfall of 15,500 ac ft between 2020 and 2070. The 2020 State Water Plan recommends that the City of Arlington undertake conservation and irrigation restrictions along with water loss control. This proposed amendment to an existing water right and bed and banks permit is not included in the Region C Water Plan but, along with the installation of remotely monitored wells and irrigation systems, would reduce municipal water irrigation use for the City of Arlington through alternative sources, conservation (i.e., higher irrigation efficiency), and water loss control. This reduced surface water demand would be negligible at the Region C level but would be beneficial and not conflicting with the overall goals associated with the 2020 Water Plan and the most recent Region C Water Plan.

## 2. APPLICANT INFORMATION (Instructions, Page. 6 )

### a. Applicant

Indicate the number of Applicants/Co-Applicants 2  
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

**Park 20-360 Investors, LLC**

*(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)*

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?  
You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : **CN605211937** (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: **Mike Schwartzers**

Title: **Senior Vice President**

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? **Yes, See Attachment A**

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: **Mike Schwartzers**

Mailing Address: **191 N Wacker Dr, Ste 2500**

City: **Chicago**

State: **Illinois**

ZIP Code: **60606**

Indicate an X next to the type of Applicant:

Individual

Sole Proprietorship-D.B.A.

Partnership

Corporation

Trust

Estate

Federal Government

State Government

County Government

City Government

Other Government

Other **Limited Liability Company**

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: **77-0672767** SOS Charter (filing) Number: **N/A**

### 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: **Mike Schwartzers**

Title: **Senior Vice President**

Organization Name: **Park 20-360 Investors, LLC**

Mailing Address: **191 N Wacker Dr, Ste 2500**

City: **Chicago**

State: **Illinois**

ZIP Code: **60606**

Phone No.: **312-425-0734**

Extension:

Fax No.:

E-mail Address:  




#### 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: **Rae Lynn Schneider, as authorized agent for the Applicant**

Title: **President**

Organization Name: **Integrated Environmental Solutions, LLC**

Mailing Address: **301 W Eldorado Pkwy#101**

City: **McKinney**

State: **Texas**

ZIP Code: **75069**

Phone No.: **972-562-7672 (o)**

Extension: **N/A**

Fax No.: **N/A**

E-mail Address: **[REDACTED]**

## 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: **N/A**

Amount past due: **N/A**

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: **N/A**

Amount past due: **N/A**

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 No**

**6. SIGNATURE PAGE (Instructions, Page. 11)**

Applicant:

I, MIKE SCHWARZERS VP  
(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 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: Mike Schwarz Date: 7/11/22  
(Use blue ink)  
HART ARLINGTON TX LLC

Subscribed and Sworn to before me by the said  
on this 11<sup>th</sup> day of July, 2022.  
My commission expires on the 23<sup>rd</sup> day of March, 2026.

Sean Brown  
Notary Public

[SEAL]



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



**6. SIGNATURE PAGE (Instructions, Page. 11)**

Applicant:

I, Rae Lynn Schneider  
(Typed or printed name)

President, Integrated Environmental Solutions, LLC  
(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 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: [Handwritten Signature]  
(Use blue ink)

Date: 7/19/22

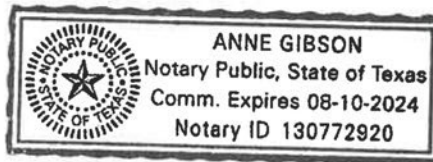
Subscribed and Sworn to before me by the said

on this 3<sup>rd</sup> day of August, 2022.

My commission expires on the 10<sup>th</sup> day of August, 2022.

Anne Gibson

Notary Public



[SEAL]

County, Texas

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

# 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 / NY \_\_\_\_\_ (If yes, date : 6/22/2021).

### 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 No
- 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 No (If yes, indicate the Certificate or Permit number: N/A)

*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 No*

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N No (If yes, indicate the Term Certificate or Permit number: N/A)

*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.***

Water Right (Certificate or Permit) number you are requesting to amend: ADJ\_3405

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? **Y / N** No (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right
N/A	N/A

a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? **Y / N** No

*If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional 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** No

*If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

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** Yes

*If yes, submit:*

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 1.2 - Notice: “Marshall Criteria”**

d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? **Y / N** No

*If yes, submit:*

- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- **Worksheet 5.0 – Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

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

*If yes, submit: Worksheet 2.0 - Impoundment/Dam Information Worksheet* (submit one worksheet for each impoundment or reservoir)



- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N No If yes, call the Water Availability Division at (512) 239-4600 to discuss.

**Additionally, all amendments require:**

- **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/N No

*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 No

*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 No

*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 No

*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). Y / N Yes

*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 Right Applications (Instructions, Page 15)**

- a. Provide information describing how this application 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 (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

*Park 20-360 Investors, LLC's water right is located within the Region C Planning Group in the City of Arlington. The applicant is requesting this amendment and bed and banks permit to reduce municipal surface water demand for irrigation purposes by using an alternative source; thereby, negligibly reducing municipal demand for surface water in a rapidly growing North-Central Texas. The 2020 Water Plan indicates that Region C, will have a 67 percent increase in water demand from 2020 to 2070. Region C is noted as having the largest annual municipal water need, increasing from 43,000 ac ft in 2020 to 1.2 million ac ft by 2070. Region C anticipates an annual shortfall of 15,500 ac ft between 2020 and 2070. The 2020 State Water Plan recommends that the City of Arlington undertake conservation and irrigation restrictions along with water loss control. This proposed amendment to an existing water right and bed and banks permit is not included in the Region C Water Plan but, along with the installation of remotely monitored wells and irrigation systems, would reduce municipal water irrigation use for the City of Arlington through alternative sources, conservation (i.e., higher irrigation efficiency), and water loss control. This reduced surface water demand would be negligible at the Region C level but would be beneficial and not conflicting with the overall goals associated with the 2020 Water Plan and the most recent Region C Water Plan.*

- b. Did the Applicant perform its own Water Availability Analysis? Y / N No

*If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.*

- c. Does the application include required Maps? (Instructions Page. 15) Y / N Yes

## WORKSHEET 1.0 Quantity, Purpose and Place of Use

### I. 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) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	Purpose(s) of Use	Place(s) of Use <i>*requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer</i>
N/A	N/A	N/A	N/A

N/A 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 N/A 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 N/A acres in N/A County, TX.

ii) Location of land to be irrigated: In the William Hayman Original Survey No. N/A, Abstract No. 842.

***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)

- a. 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**
3.37 ac ft from the permitted 27 ac ft.	Recreation	Irrigation	Tarrant	Tarrant

\*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."

\*\*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."

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

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
- Applicant proposes to irrigate a total of 37 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 123 acres in Tarrant County, TX.

- Location of land to be irrigated: In the William Hayman Original Survey No. N/A, Abstract No. 642.

***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.***

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

# 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 No

### 1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. N/A
- b. Provide the quantity of water to be transferred (acre-feet). N/A
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:  
N/A

### 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 No
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N No
- 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 No
- 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 No

### 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 on-stream 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. Administrative Requirements and Fees. 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. Beneficial Use. 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. Public Welfare. 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. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.



- e. State Water Plan. 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. Waste Avoidance. 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. Impacts on Water Rights or On-stream Environment. 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).*

### I. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: None
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 22.2.
- c. The impoundment is on-channel  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 No
  - 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 Yes
- d. Is the impoundment structure already constructed? Y / N Yes
- i. For already constructed **on-channel** structures:
    1. Date of Construction: Between 1970 and 1979.
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N No
      - 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 No
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N No
      - a. If yes, provide the Site No. N/A and watershed project name N/A;
      - b. Authorization to close "ports" in the service spillway requested? Y / N N/A
  - ii. For **any** proposed new structures or modifications to structures:
    1. 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 / N Yes  
Provide the date and the name of the Staff Person Warren Samuelson - 01/20/2021
    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 No
      - b. Plans (with engineer's seal) for the structure required. Y / N No
      - c. Engineer's signed and sealed hazard classification required. Y / N No
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N No

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/A

iii. Additional information required for **on-channel** storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 7.55.
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 Yes  
If yes, the drainage area is 0.15 sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

## 2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name): unnamed tributary of Fish Creek
- b. Zip Code: 76014
- c. In the William Hayman Original Survey No. N/A, Abstract No. 642,  
Tarrant County, Texas.

**\* A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.**

**\*\*If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.**

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude 32.679173 °N, Longitude -97.067583 °W.

**\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places**

- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GIS
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Yes

## 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).*

### 1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1.  Diversion Point No.
2.  Upstream Limit of Diversion Reach No.
3.  Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** -- \_\_\_\_\_ cfs (cubic feet per second)  
or 600 \_\_\_\_\_ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N No  
*If yes, submit Maximum Combined Rate of Diversion for all points/reaches* N/A \_\_\_\_\_ cfs or N/A \_\_\_\_\_ gpm

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N No

*\*\* An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

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	
<input checked="" type="checkbox"/>	From an on-channel reservoir	Existing
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. Y / N Yes

If yes, the drainage area is 0.15 \_\_\_\_\_ sq. miles.

*(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)*



## 2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Impoundment on-channel of a unnamed tributary of Fish Creek
- b. Zip Code: 76014
- c. Location of point: In the William Hayman Original Survey No. N/A, Abstract No. 642, Tarrant 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 32.680515 °N, Longitude -97.067663 °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): GIS
- 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.**

- a. The purpose of use for the water being discharged will be Irrigation.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses negligible % and explain the method of calculation: The water will be directly discharged into the impoundment and will directly compensate.

Is the source of the discharged water return flows? Y / N No If yes, provide the following information:

1. The TPDES Permit Number(s) N/A (attach a copy of the **current** TPDES permit(s))
2. Applicant is the owner/holder of each TPDES permit listed above? Y / N No

*PLEASE NOTE: If Applicant is not the discharger of the return flows, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, then the application should be submitted 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 N/A, surface water N/A ?
  5. If any percentage is surface water, provide the base water right number(s) N/A.
- c. Is the source of the water being discharged groundwater? Y / N Yes If yes, provide the following information:
1. Source aquifer(s) from which water will be pumped: Trinity & Paluxy
  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/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers Wells 3 and 4.
  3. Indicate how the groundwater will be conveyed to the stream or reservoir.  
Groundwater will be conveyed via 4" pipe from the pump into the impoundment.
  4. 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 No  
If yes, provide the signed contract(s).

cii. Identify any other source of the water N/A

## WORKSHEET 4.1A 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:**

- a. The amount of water that will be discharged at this point is 1.37 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 of — cfs or 235 gpm.
- c. Name of Watercourse as shown on Official USGS maps: Unnamed tributary to Fish Creek
- d. Zip Code 76014
- f. Location of point: In the William Hayman Original Survey No. N/A, Abstract No. 642, Tarrant County, Texas.
- g. Point is at:  
Latitude 32.681212 °N, Longitude -97.069992 °W.  
***\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): gis

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

## WORKSHEET 4.1B 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:**

- a. The amount of water that will be discharged at this point is 3.37 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 of — cfs or 165 gpm.
- c. Name of Watercourse as shown on Official USGS maps: Unnamed tributary to Fish Creek
- d. Zip Code 76014
- f. Location of point: In the William Hayman Original Survey No. N/A, Abstract No. 642, Tarrant County, Texas.
- g. Point is at:  
Latitude 32.680951 °N, Longitude -97.068281 °W.  
***\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): GIS

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



## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

### 1. Impingement and Entrainment

**This section is required for any new diversion point that is not already authorized.** Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

---

Screens and a 200 micron filter on the diversion point will protect from impingement and entrainment

---

### 2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: N/A

Other, specify: N/A

b. Flow 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

Personal observation

Other, specify: N/A

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:

1. 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 map 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.
  - iii. A description of how any impacts to wetland habitat, if any, will be 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 N/A
- 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 Samples	Sample Type	Sample Date/Time
Sulfate, mg/L	145	1650	4	EPA 300.0	1972-2016
Chloride, mg/L	<b>36.7</b>	<b>70</b>	<b>6</b>	<b>EPA 300.0</b>	<b>1972-2016</b>
Total Dissolved Solids, mg/L	695.5	2740	3	SM 2540C	1972-2016
pH, standard units	<b>8.4</b>	<b>8.95</b>	<b>6</b>	<b>SM 4500-H+B</b>	<b>1972-2016</b>
Temperature*, degrees Celsius	25	25	2	SM 4500-H+B	1972-2016

\* 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 1034 & 2000 and the name of the aquifer from which water is withdrawn Paluxy & Trinity.

# 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](mailto: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.*

### **I. 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.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which 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.
3.  Agricultural Use, including irrigation. See 30 TAC § 288.4.
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 No

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\_\_\_\_\_

## 2. Drought Contingency Plans

- 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:
1. N/A Municipal Uses by public water suppliers. See 30 TAC § 288.20.
  2. N/A Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
  3. N/A Wholesale 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 (*ordinance, resolution, or tariff, etc. See 30 TAC § 288.30*) Y / N N/A

# 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 (\$)
<b>Filing Fee</b>	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 <b>Amount (\$)</b> . <u>In Acre-Feet</u> 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	<b>0.00</b>
<b>Recording Fee</b>		\$25.00
<b>Agriculture Use Fee</b>	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x <u>N/A</u> Number of acres that will be irrigated with State Water. **	
<b>Use Fee</b>	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x <u>N/A</u> Maximum annual diversion of State Water in acre-feet. **	<b>0.00</b>
<b>Recreational Storage Fee</b>	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x <u>N/A</u> acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	<b>0.00</b>
<b>Storage Fee</b>	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x <u>N/A</u> acre-feet of State Water to be stored at normal max operating level.	<b>0.00</b>
<b>Mailed Notice</b>	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	<b>0.00</b>
<b>TOTAL</b>		<b>\$ 0.00</b>

### 2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
<b>Filing Fee</b>	Amendment: \$100 <b>OR</b> Sever and Combine: \$100 x ___ of water rights to combine	<b>\$100.00</b> <b>0.00</b>
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		<b>\$ 112.50</b>

### 3. BED AND BANKS

	Description	Amount (\$)
<b>Filing Fee</b>		\$100.00
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		<b>\$ 0.00</b>

**ATTACHMENT A**  
**SIGNATURE AUTHORITY**

## LIMITED LIABILITY COMPANY AGREEMENT

OF

### HART ARLINGTON TX LLC

This Limited Liability Company Agreement of **HART Arlington TX LLC**, is entered into by Heitman America Real Estate Holding, L.P., a Delaware limited partnership, in its capacity as sole member (the "**Member**").

The Member, by execution of this Agreement, hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act, as amended from time to time (the "**Act**"), and hereby agrees as follows:

1. **Name.** The name of the Company from and after the date hereof shall be "HART Arlington TX LLC".
2. **Principal Business Office.** The principal business office of the Company shall be located at c/o Heitman Capital Management LLC, 191 North Wacker Drive, Suite 2500, Chicago, Illinois 60606.
3. **Registered Office and Registered Agent.** The address of the registered office of the Company in the State of Delaware is The Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.
4. **Name and Address of the Member.** The name and the mailing address of the Member is Heitman America Real Estate Holding, L.P., c/o Heitman Capital Management LLC, 191 North Wacker Drive, Suite 2500, Chicago, Illinois 60606.
5. **Certificates.** Seth Becker, an authorized person on behalf of the Company, shall execute, deliver and file the Certificate of Formation for the Company with the Secretary of State of the State of Delaware, setting forth the information required by Section 18-201 of the Act, and such authorized person, and any other authorized officer of the Company, is authorized and directed to execute, deliver and file any other certificates (and any amendments and/or restatements thereof) necessary in any State in which the Company may wish to conduct business.
6. **Purpose.** The purpose of the Company shall be to engage in acquiring, owning, operating, repairing, replacing, improving, mortgaging, leasing, and disposing of that certain property commonly known as Park 20/360 industrial park in Arlington, Texas (the "**Property**"), and any other lawful business, purpose or activity which is necessary, appropriate, proper, advisable, incidental to or convenient for the furtherance and accomplishment of the purposes set forth herein and for which limited liability companies may be formed under Section 18-106 of the Act. The Company shall have the power to do any and all acts and things necessary, appropriate, proper, advisable, incidental to or convenient for the furtherance of such purposes, and for the protection and benefit of its business.



**IN WITNESS WHEREOF**, the undersigned, intending to be legally bound hereby, has duly executed and delivered this Agreement as of August 28, 2019.


**HEITMAN AMERICA REAL ESTATE HOLDING, L.P.**, in its capacity as Member

By: Heitman America Real Estate Holding GP, LLC, its general partner

By: Heitman America Real Estate REIT LLC, its co-managing member

By: Heitman America Real Estate Trust, L.P., its managing member


By: Heitman America Real Estate Trust, LLC, its general partner

By:   
Name: Thomas P. Kelly  
Title: Senior Vice President

And:

By: Heitman America Real Estate Trust (PF #1), L.P., its co-managing member

By: Heitman America Real Estate Trust, LLC, its general partner

By:   
Name: Thomas P. Kelly  
Title: Senior Vice President

**ATTACHMENT B**

**FIGURES**

**Figure 1. Project Overview**

Park 20-360  
City of Arlington  
Tarrant County, Texas

File Ref. 04-240-183  
Date: 2/17/2021



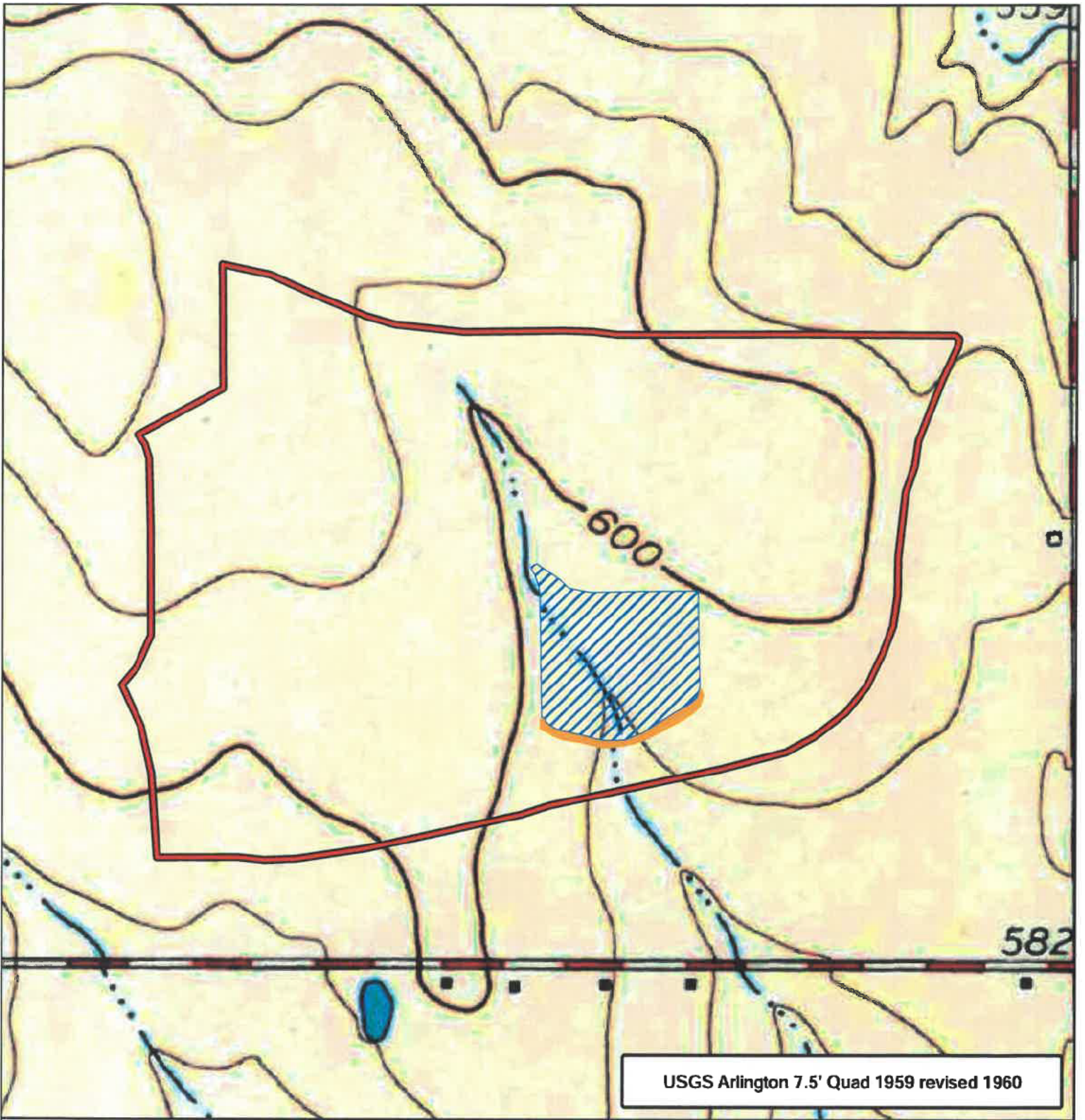
1" = 300 feet



- Project Area
- Pond Limits
- Irrigation Area
- Impoundment Dam
- Well 3
- Well 3 Discharge
- Well 4
- Well 4 Discharge
- Irrigation Diversion Point








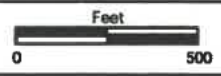


**Figure 2A.**  
**Topographic Setting**

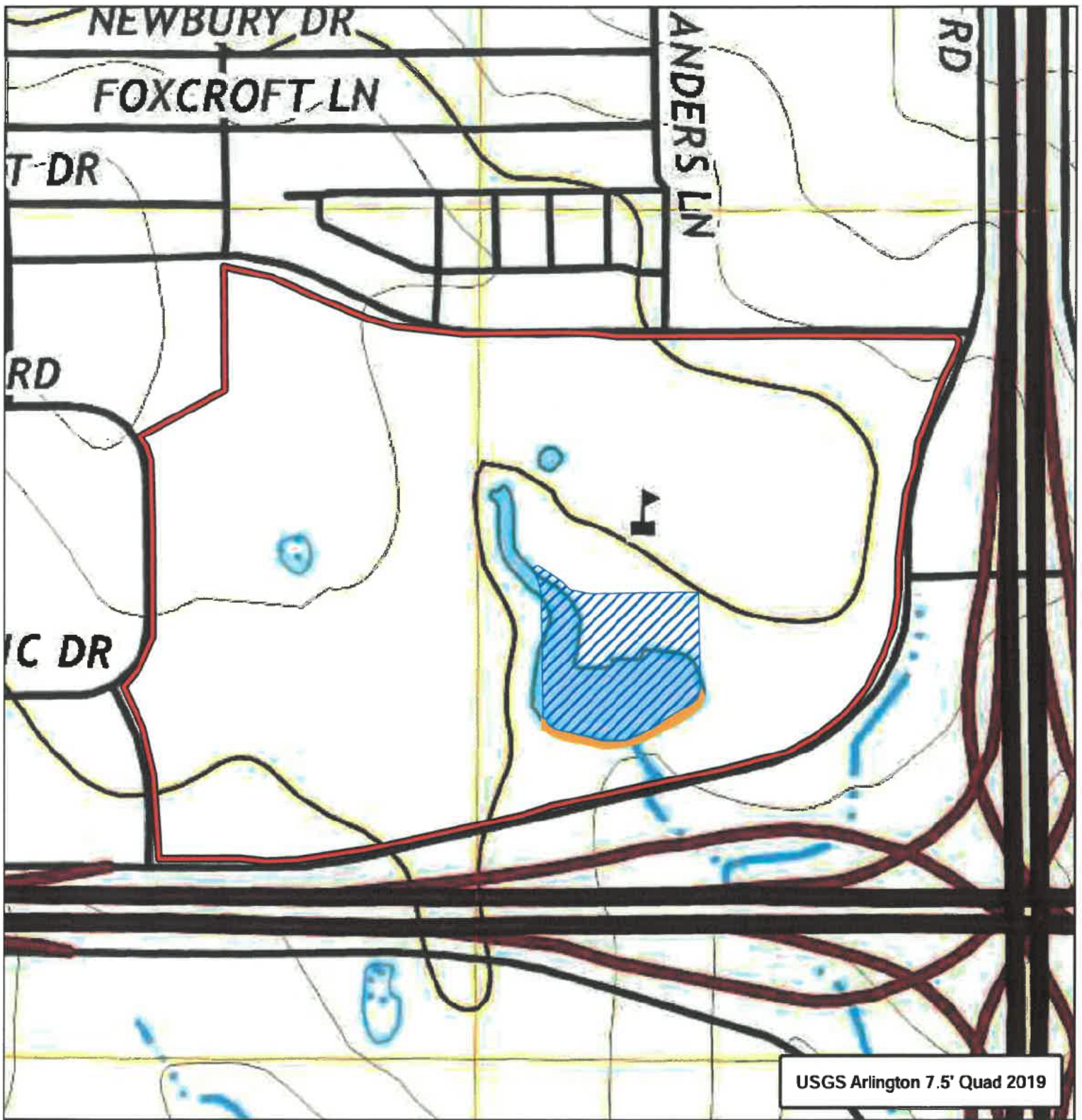
**Park 20-360**  
**City of Arlington**  
**Tarrant County, Texas**

-  Project Limits
-  Pond Limits
-  Dam

1 in = 500 feet






File Ref. 04.240.183  
 Date: 2/1/2021




USGS Arlington 7.5' Quad 2019

**Figure 2B.**  
Topographic Setting

Park 20-360  
City of Arlington  
Tarrant County, Texas

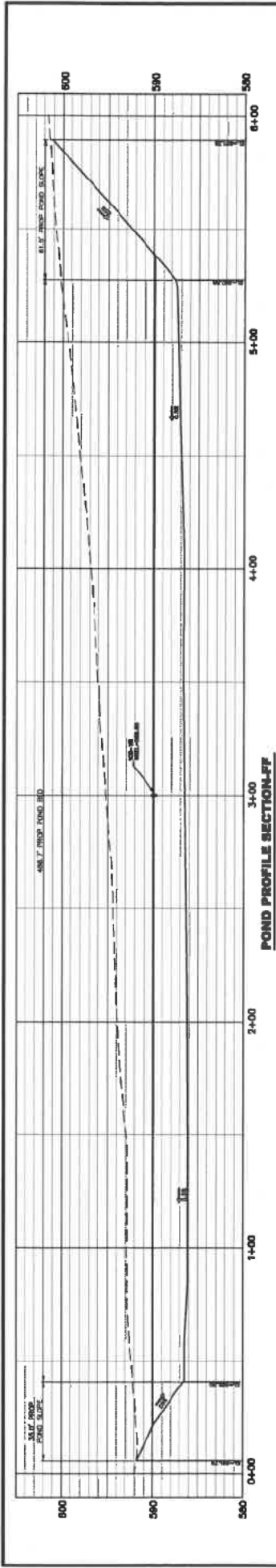
-  Project Limits
-  Pond Limits
-  Dam

1 in = 500 feet

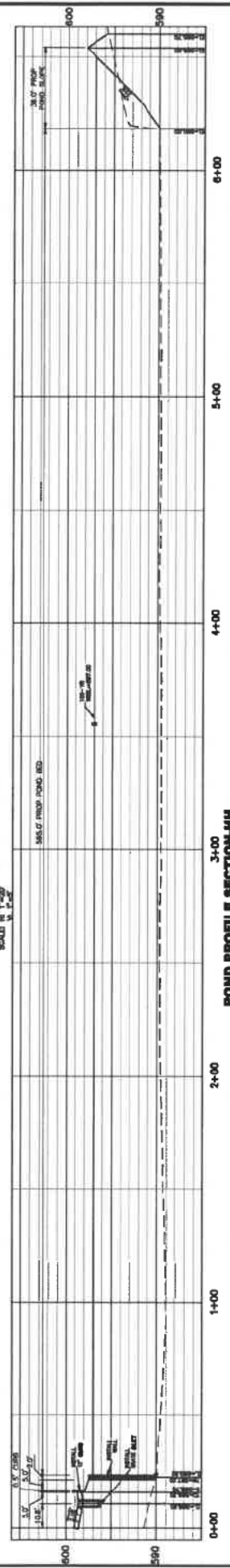



File Ref. 04.240.183  
Date: 2/1/2021

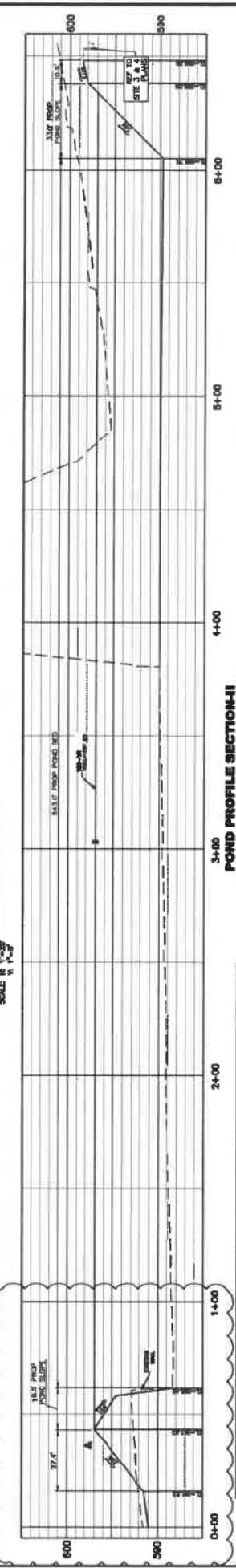




**POND PROFILE SECTION-FF**  
SCALE: H 1"=20'  
V 1"=4'



**POND PROFILE SECTION-HH**  
SCALE: H 1"=20'  
V 1"=4'



**POND PROFILE SECTION-HI**  
SCALE: H 1"=20'  
V 1"=4'



**POND PROFILE SECTION-GG**  
SCALE: H 1"=20'  
V 1"=4'

NOTE: REFER TO SHEET CIVIL WORK FOR CITY OF ARLINGTON, TEXAS.

NO.	DATE	BY	CHECKED
1			
2			
3			
4			



THE SEAL, SIGNATURE OR ANY REVISIONS ON THIS DOCUMENT ARE THE PROPERTY OF THE ENGINEER. ANY REVISIONS TO THIS DOCUMENT SHALL BE MADE IN ACCORDANCE WITH THE TEXAS PROFESSIONAL ENGINEERING ACT.

**Pacheco Koch**  
**WAREHOUSE BUILDING 1**  
**POND CROSS SECTIONS**  
**LOT 1, BLOCK 1, PARK 20380 ADDITION**  
**4101 RESEARCH BLVD.**  
**CITY OF ARLINGTON, TARRANT COUNTY, TEXAS**

C&S	DATE	ISSUED	NO.

C3.7

ARLINGTON, TEXAS

# POST-PROJECT DRAINAGE AREA MAP

## RIDGE DEVELOPMENT

ARLINGTON, TEXAS

### KEY TO FEATURES

- POST-PROJECT DRAINAGE AREA
- FLOWPATH TYPE**
  - BOX
  - CHANNEL
  - GUTTER
  - OVERLAND
  - PIPE
  - SHALLOW

### DATUM

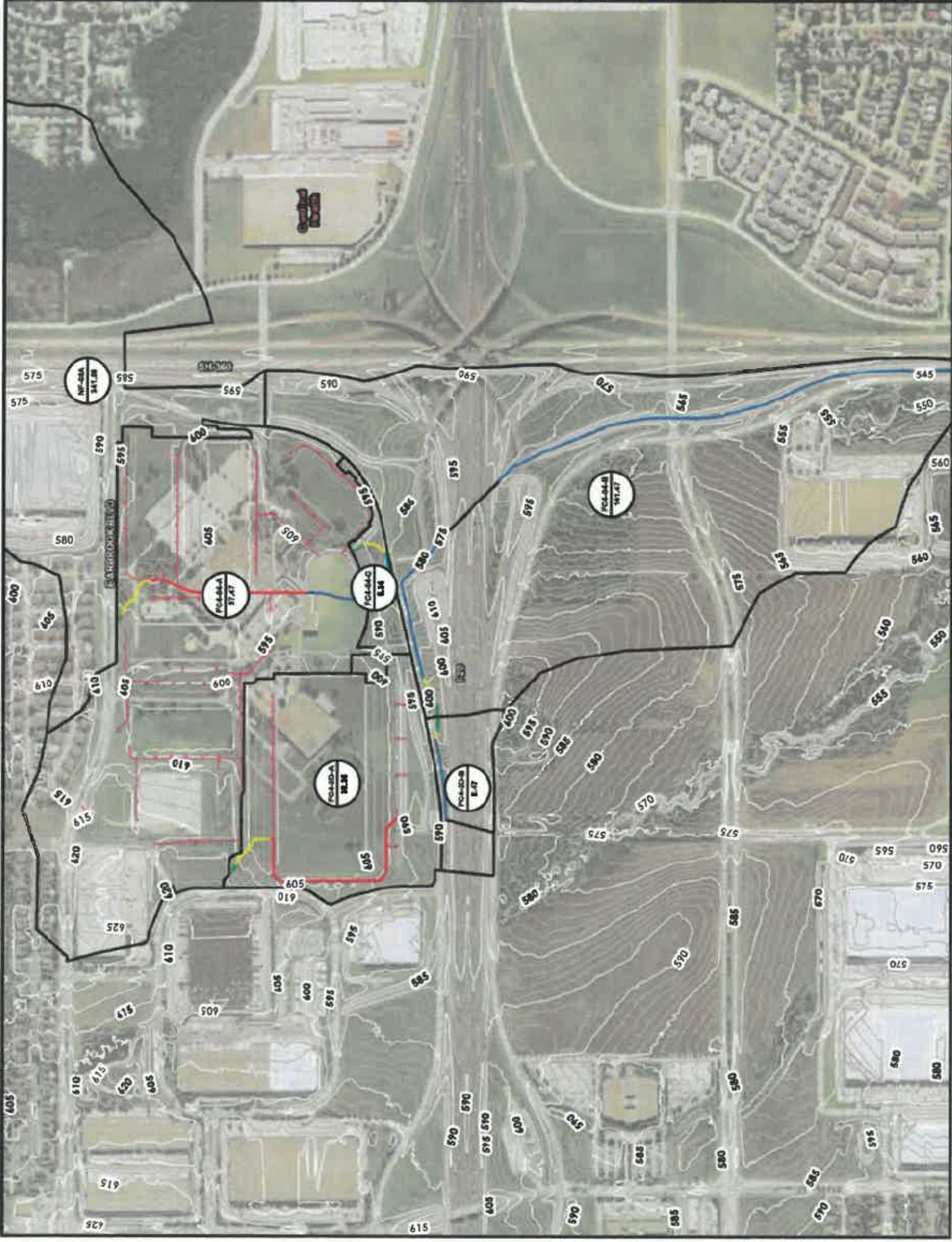
NAD 1983 Texas State Plane  
North Central Zone FIPS 4202



### VICINITY MAP



March 22, 2016  
MAP 1 OF 1



**ATTACHMENT C**  
**WATER PLAN ADDENDUM**

### **Addendum Regarding the State and Regional Water Plans**

The applicant wishes to amend this existing water right to add irrigation use and groundwater as an alternative source to make up for evaporation and irrigation losses. Page 79 of the 2017 State Water Plan reports a 3.5 million acre-feet per year irrigation water need which is only expected to increase in the coming years. By allowing this property to utilize groundwater for irrigation will help address the irrigation water need in Texas.

**ATTACHMENT D**

**DEED**



Electronically Recorded by Tarrant County Clerk in Official Public Records *Mary Louise Nicholson*  
Mary Louise Nicholson

22011190224-bj  
DOCUMENT PREPARED BY: )  
Greenberg Traurig LLP )  
2200 Ross Ave., Suite 5200 )  
Dallas, Texas 75201 )  
Lolly Chauppette, Esq. )

WHEN RECORDED, RETURN TO: )  
)  
)  
)  
)  
STATE OF TEXAS )  
)  
COUNTY OF TARRANT )

(Space Above for Recorder's Use)

**SPECIAL WARRANTY DEED**

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

STATE OF TEXAS §  
COUNTY OF DALLAS § KNOW ALL MEN BY THESE PRESENTS THAT:  
§

PARK 20-360 INVESTORS, LLC, a Delaware limited liability company (hereinafter called "Grantor"), whose address is c/o Invesco Advisers, Inc., 2001 Ross Avenue, Suite 3400, Dallas, Texas 75201, Attention: Asset Management, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to Grantor by HART ARLINGTON TX LLC, a Delaware limited liability company (hereinafter called "Grantee"), whose address is c/o Heitman Capital Management LLC, 191 North Wacker Drive, Suite 2500, Chicago, IL 60606, the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, SELL, CONVEY, ASSIGN and DELIVER to Grantee the real property described in Exhibit A attached hereto and made a part hereof, together with all buildings and other improvements situated thereon, all fixtures and other property affixed thereto and all right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way, subject to the encumbrances described in Exhibit B attached hereto and made a part hereof (hereinafter called the "Permitted Encumbrances"), SAVE AND EXCEPT all oil, gas and other minerals in and under the property conveyed herein, together with the right to all lease bonuses, delay rentals, and lessor's royalty provided in any oil and gas lease covering the property conveyed herein. Grantor hereby waives all surface rights in connection with the reservations hereunder.

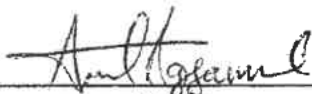
**TO HAVE AND TO HOLD** the herein described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto 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 however, to the Permitted Encumbrances.

Grantee hereby assumes the payment of 2020 ad valorem taxes on the herein described property.

IN WITNESS WHEREOF, this Deed is executed by Grantor on this 11<sup>th</sup> day of December, 2019, to be effective as of December 11, 2019.

**PARK 20-360 INVESTORS, LLC,**  
a Delaware limited liability company

By: Gateway Park Industrial, LLC,  
a Delaware limited liability company,  
its manager

By:   
Name: Amit Aggarwal  
Title: Vice President

**NOTARY ACKNOWLEDGMENT**

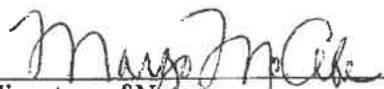
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.

On 12/10, 2019, before me, Margo McCabe, a Notary Public, personally appeared Amit Aggarwal, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
Signature of Notary



[Notary Seal]

**EXHIBIT A  
To Special Warranty Deed  
PROPERTY DESCRIPTION**

**Tract 1:**

**Lot 1, 2, 3, 4, 5 and 11X, Block 1, Park 20/360, an addition to the City of Arlington, Tarrant County, Texas, according to the Amending Plat thereof recorded under Clerk's File No. D219115443, Plat Records, Tarrant County, Texas.**

**Tract 2:**

**Lot 6R, 7, 8, 9 and 10RX, Block 1, Park 20/360, an addition to the City of Arlington, Tarrant County, Texas, according to the Replat thereof recorded under Clerk's File No. D219002563, Plat Records, Tarrant County, Texas.**

**EXHIBIT B  
To Special Warranty Deed**

1. Real property taxes and assessments for the year 2020 and thereafter, not yet due and payable.
2. Zoning and other regulatory laws and ordinances affecting the Property.
3. Matters which would be disclosed by a current survey.
4. Easement(s) and rights incidental thereto, as granted in document:

Granted to: Texas Electric Service Company  
Purpose: As provided in said document  
Recording Date: June 3, 1969  
Recording No: Volume 4733, Page 221, Real Property Records, Tarrant County, Texas.  
Affects: Lot 1 & 8 and 9

Shown on plat recorded under Clerk's File No. D219115443, Plat Records, Tarrant County, Texas

5. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Southwestern Bell Telephone Company  
Purpose: As provided in said document  
Recording Date: June 13, 1973  
Recording No: Volume 5468, Page 612, Real Property Records, Tarrant County, Texas  
Affects: All Lots

6. Minerals conveyed in Warranty Deed from Mattie M. Mayfield, joined pro-forma by husband, Elree Moore Mayfield, Mackie C. Wilson Salmon, joined pro-forma by husband, Maurice T. Salmon, Bertha L. Brown, joined pro-forma by husband, Alfred H. Brown, Mary Jane Hightower, joined pro-forma by husband, Leslie Hightower, and Tom Collins to James Lynn Collins, Edna Merle Bellomy, Joann Collins Somers, a feme sole, Mary Nell Rader and Kay Collins Cannon, as their sole and separate property and estate, dated August 22, 1968, filed September 16, 1968 and recorded in Volume 4616, Page 876, Real Property Records, Tarrant County, Texas.

Affect Lots 1 and 6.

7. Minerals conveyed in Warranty Deed from Mattie M. Mayfield, joined pro-forma by husband, Elree Moore Mayfield, Mackie C. Wilson Salmon, joined pro-forma by husband, Maurice T. Salmon, Mary Jane Hightower, joined pro-forma by husband, Leslie Hightower, James Lynn Collins, Edna



Merle Bellomy , joined pro-forma by her husband George Bellomy, Joann Collins Somers, a feme sole, Mary Nell Rader, joined pro-forma by her husband, Ed Rader, Kay Collins Cannon, joined pro-forma by her husband, Buster Cannon, Tom Collins and Velma Collins a widow to Bertha L. Brown, as her sole and separate property and estate, dated August 22, 1968, filed September 17, 1968 and recorded in Volume 4617, Page 672, Real Property Records, Tarrant County, Texas.

Affects All Lots.

8. Minerals conveyed in Warranty Deed from Maggie P. Collins, a widow to Mackie C. Wilson, Mattie M. Mayfield, W. A. Collins, Bertha L. Brown, Tom Collins and Mary Jane Hightower, dated July 24, 1953, filed July 25, 1953, and recorded in Volume 2594, Page 202, Real Property Records, Tarrant County, Texas.

Affects All Lots.

9. Minerals conveyed in Warranty Deed from Maggie P. Collins, a widow to Mackie C. Wilson, Mattie M. Mayfield, W. A. Collins, Bertha L. Brown, Tom Collins and Mary Jane Hightower, dated April 17, 1954, filed December 30, 1954, and recorded in Volume 2805, Page 448, Real Property Records, Tarrant County, Texas.

Affects All Lots.

10. Minerals conveyed in Warranty Deed from Maggie P. Collins, a widow to Mackie C. Wilson, Mattie M. Mayfield, W. A. Collins, Bertha L. Brown, Tom Collins and Mary Jane Hightower, dated April 21, 1955, filed April 27, 1955, and recorded in Volume 2856, Page 248, Real Property Records, Tarrant County, Texas.

Affects All Lots.

11. Minerals conveyed in Warranty Deed from Maggie P. Collins, a widow to Mackie C. Wilson, Mattie M. Mayfield, W. A. Collins, Bertha L. Brown, Tom Collins and Mary Jane Hightower, dated February 28, 1956, filed March 1, 1956, and recorded in Volume 2964, Page 574, Real Property Records, Tarrant County, Texas.

Affects All Lots.

12. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 5, 2013, recorded August 30, 2013 under Clerk's File No. D213231472, Real Property Records, Tarrant County, Texas, which document contains the following language "all of Grantor's interest in and to all of the oil, gas, and other minerals". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

**Affects All Lots.**

13. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated March 10, 2016, recorded March 10, 2016 under Clerk's File No. D216049045, Real Property Records, Tarrant County, Texas, which document contains the following language "a reservation of all oil, gas and other minerals" and "Grantor, for itself and its successors and assigns, hereby absolutely and irrevocably waives and relinquishes any right to use the surface of the Property for any purpose". Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

**Affects Lots 1 and 6.**

14. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated June 16, 2006, by and between Highpoint Church, as Lessor, and Chesapeake Exploration Limited Partnership, an Oklahoma Limited Partnership, as Lessee, as evidenced by a Memorandum thereof, recorded July 11, 2006 under Clerk's File No. D206209393, Real Property Records, Tarrant County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

**As affected by Amendment and Extension of Oil, Gas and Mineral Lease**

Recording Date: January 18, 2008

Recording No: under Clerk's File No. D208020762, Real Property Records, Tarrant County, Texas

**As affected by Declaration of Pooled Unit High Point Unit**

Recording Date: November 7, 2008

Recording No: under Clerk's File No. D208420839, Real Property Records, Tarrant County, Texas

**As affected by First Amendment to Declaration of Pooled Unit High Point Unit**

Recording Date: February 5, 2010

Recording No: under Clerk's File No. D210027388, Real Property Records, Tarrant County, Texas

**As affected by Second Amendment to Declaration of Pooled Unit High Point Unit**

Recording Date: February 29, 2012

Recording No: under Clerk's File No. D212049312, Real Property Records, Tarrant County, Texas

As affected by Surface Use Restriction Agreement

Recording Date: August 30, 2013

Recording No: under Clerk's File No. D213231473, Real Property Records, Tarrant County,

Texas As affected by Correction Partial Assignment of Oil and Gas Leases Without Warranty

Recording Date: September 9, 2015

Recording No: under Clerk's File No. D215204743, Real Property Records, Tarrant County, Texas

As affected by Memorandum of Partial Waiver of Surface Rights Covered by Paid-Up Oil and

Gas Lease Recording Date: March 1, 2016

Recording No: under Clerk's File No. D216041563, Real Property Records, Tarrant County, Texas

As affected by Memorandum of Amendment to Partial Waiver of Surface Rights Covered by Paid-Up Oil and Gas Lease

Recording Date: February 1, 2019

Recording No: under Clerk's File No. D219020473, Real Property Records, Tarrant County, Texas

Affects All Lots.

15. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated May 30, 2007, by and between 144 Tech Center, L.P., a Texas limited partnership, as Lessor, and Four Sevens Resources Co., Ltd., as Lessee, recorded May 31, 2007 under Clerk's File No. D207186546, Real Property Records, Tarrant County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

Affects Lots 1 and 8.

16. Terms, provisions, conditions, restrictions, reservations, easements and assessments as set out in Declaration of Covenants and Restrictions, filed July 12, 2016, recorded in/under Clerk's File No. D216154700, Real Property Records, Tarrant County, Texas

Affects All Lots.

Liens and charges as set forth in the above mentioned declaration,

Payable to: 20-360 Property Owners Association, a Texas not-for-profit corporation

17. Affidavit of Commencement of Construction

Recording Date: July 21, 2016  
Recording No.: under Clerk's File No. D216163676, Real Property Records, Tarrant County, Texas

18. The following according to the plat filed thereof under Clerk's File No. D219115443, Plat Records, Tarrant County, Texas:

- 5 foot utility easements (Lot 1)
- 15 foot utility easements (Lots 1, 2, 3, 4 & 11X)
- 15 foot water easement; (Lot 1)
- 20 foot private drainage easement (Lots 1 & 11X)
- 36 foot private access & utility easement (Lots 1, 2, 3, 5 & 11X)
- Private drainage easements (Lots 1 & 11X)
- Variable width private access easement (Lots 3, 4 & 5)

19. The following according to the plat filed thereof under Clerk's File No. D219002563, Plat Records, Tarrant County, Texas:

- 25 foot building line (Lot 6R, 10RX & 7)
- 15 foot public sanitary sewer easement (Lot 6R)
- 15 foot drainage easement (Lot 6R)
- 20 foot private drainage easement (Lot 6R, 7 & 9)
- Public drainage easement (Lot 6R & 10RX)
- 36 foot private access & utility easement (Lot 6R, 10RX, 8 & 9)
- Private drainage easements (Lot 10RX)

15 foot private sanitary sewer easement to serve Lot 9 (Lot 7)

15 foot private drainage easement (Lot 8) 10 foot Oncor easement (Lot 8 & 9)

10 foot Oncor easement (Lot 8 & 9)

5 foot utility easement (Lot 8)

20. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Oncor Electric Delivery Company LLC, a Delaware limited liability company  
Purpose: overhead and/or underground electric supply and communication facilities  
Recording Date: August 23, 2016  
Recording No: under Clerk's File No. D216192895, Real Property Records, Tarrant County, Texas

Affects: Lot 1, 8 and 9

Shown on plat recorded under Clerk's File No. D219115443, Plat Records, Tarrant County, Texas.

21. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Arlington  
Purpose: 15' wide sanitary sewer Recording Date: January 5, 2017  
Recording No: under Clerk's File No. D217003039, refiled under Clerk's File No. D217006270, as affected by City of Arlington Amendment and Restated of Sanitary Sewer Easement recorded May 24, 2017 under Clerk's File No. D217117148, Real Property Records, Tarrant County, Texas

Affects: Lots 3 and 4

22. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Arlington  
Purpose: 15' wide sanitary sewer  
Recording Date: January 5, 2017  
Recording No: under Clerk's File No. D217003040, refiled under Clerk's File No. D217006271, as affected by Amendment and Restatement of Private Sanitary Sewer Easement recorded May 24, 2017 under Clerk's File No. D217117149, Real Property Records, Tarrant County, Texas

Affects: Lots 4 & 5

Shown on the plat recorded under Clerk's File No. D219002563, Plat Records, Tarrant County, Texas.

23. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: DFW Midstream Services LLC, a Delaware limited liability company  
Purpose: 20' wide pipeline  
Recording Date: January 5, 2017  
Recording No: under Clerk's File No. D217003134, Real Property Records, Tarrant County, Texas

Affects: Lot 1

24. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Oncor Electric Delivery Company LLC, a Delaware limited liability company  
Purpose: overhead and/or underground electric supply and communication facilities  
Recording Date: August 14, 2017  
Recording No: under Clerk's File No. D217186365, Real Property Records, Tarrant County, Texas

Affects: Lots 1, 2, 3, 4, 5, and 6R

Shown on the plat recorded under Clerk's File No. D219002563, Plat Records, Tarrant County, Texas.

25. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Southwestern Bell Telephone Company, a Delaware Corporation, d/b/a AT&T Texas  
Purpose: 10' wide underground communication facilities  
Recording Date: August 28, 2017  
Recording No: under Clerk's File No. D217197852, Real Property Records, Tarrant County, Texas

Affects: Lot 1

26. Easement(s) and rights incidental thereto, as granted in a document:



**Granted to:** Southwestern Bell Telephone Company, a Delaware Corporation d/b/a  
AT&T Texas  
**Purpose:** 10' wide underground communication facilities  
**Recording Date:** August 28, 2017  
**Recording No:** under Clerk's File No. D217197853, Real Property Records, Tarrant  
County, Texas

**Affects:** Lots 4, 5, 6R, and 10RX

Shown on the plat recorded under Clerk's File No. D219002563, Plat Records, Tarrant County,  
Texas.

27. Easement(s) and rights incidental thereto, as granted in a document:

**Granted to:** Southwestern Bell Telephone Company, a Delaware Corporation d/b/a  
AT&T Texas  
**Purpose:** 10' wide underground communication facilities  
**Recording Date:** August 28, 2017  
**Recording No:** under Clerk's File No. D217197854, Real Property Records, Tarrant  
County, Texas

**Affects:** Lots 1, 3, 5, 6 and 11X

Shown on the plat recorded under Clerk's File No. D219002563, Plat Records, Tarrant County,  
Texas.

28. Easement(s) and rights incidental thereto, as granted in a document:

**Granted to:** Oncor Electric Delivery Company LLC, a Delaware limited liability company  
**Purpose:** underground electric supply and communications systems  
**Recording Date:** June 14, 2018  
**Recording No:** under Clerk's File No. D218129848, Real Property Records, Tarrant  
County, Texas

**Affects:** Lots 3 and 5

29. Easement(s) and rights incidental thereto, as granted in a document:

**Granted to:** City of Arlington  
**Purpose:** 15' wide sanitary sewer  
**Recording Date:** August 30, 2018

Recording No: under Clerk's File No. D218194680, Real Property Records, Tarrant County, Texas

Affects: Lot 2

30. Encroachment Agreement dated May 23, 2019, executed by and between DFW Midstream Services LLC and Park 20-360 Investors, LLC, a Delaware Limited Liability Company, filed August 26, 2019, recorded in/under Clerks File No. D219191597, Real Property Records, Tarrant County, Texas.

31. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: DFW Midstream Services LLC, a Delaware limited liability company

Purpose: As provided in said document

Recording Date: August 20, 2010

Recording No: under Clerk's File No. D210203379, Real Property Records, Tarrant County, Texas.

Affects: Lot 8 & 9

Shown on plat recorded under Clerk's File No. D219002563, Plat Records, Tarrant County, Texas

**ATTACHMENT E**

**FORM 20344\_092921**

# Texas Commission on Environmental Quality

## 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 Mike Schwartzers Title Senior Vice President  
Organization Park 20-360 Investors, LLC

(Signature of Owner)

(Date)

Owner's Address 191 North Wacker Drive, Suite 2500

City Chicago State Illinois Zip Code 60606

Phone Number (312) 425-0734 Emergency Contact Phone ( )

Fax Number ( ) E-mail

Owner Code (Please check one):  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)

Other (O) please specify: Limited Liability Company

Year Built Between 1970 and 1979 Year Modified 2017

Dam and Reservoir Use (Please check one):  Augmentation  Diversion  Domestic  Erosion Control

Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  Irrigation  Mining

Municipal  Pollution Control  Recreation  Stock Water  Settling Ponds  Tailings  Waste Disposal

Other, please specify:

Engineering Firm Pacheco Koch Consulting Engineers, Inc.

Project Engineer Clayton Strolle Texas P.E. License Number

Engineering Firm Address 1400 Rambler Road, Suite 1400

City Dallas State Texas Zip Code 75231

Phone (972) 235-3031 Fax ( )

E-mail

### SECTION 2: GENERAL INFORMATION

Name of Dam Unnamed

Other Name(s) of Dam Unnamed

Reservoir Name Unnamed

Location Arlington, Texas Latitude 32.679161N Longitude -97.067642W

County Tarrant Stream Name Unnamed tributary of Fish Creek

River Basin Trinity Topographic Map No. Arlington 7.5' Quad

Distance & Direction from Nearest City or Town In City of Arlington

Last Inspection Date Inspected by (name of company or agency)

TX Number Water Rights Number ADJ 3405

Date of Emergency Action Plan (EAP), if one exists

Describe the current operating condition of dam

*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:  Large  Medium  Small  
 Hazard Classification:  High  Significant  Low  
 Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**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 0.85 ft (natural surface of ground to bottom of emergency spillway at longitudinal centerline)  
 Embankment Height 5.5 ft (natural surface of ground to crest of dam at centerline)  
 Structural Height 5.5 ft (bottom of cutoff trench to crest of dam at centerline)  
 Length of Dam 700 ft Crest Width 45.9 ft  
 Normal Pool Elevation 592.35 ft-MSL Principal Spillway Elevation 592.35 ft-MSL  
 Emergency Spillway Elevation 597.03 ft-MSL Top of Dam Elevation 597.03 ft-MSL  
 Embankment Volume 3,500 cu yd  
 Maximum Impoundment Capacity 58.8 ac-ft (at top of dam)  
 Normal Reservoir Capacity 22.2 ac-ft (at normal or conservation pool)  
 Reservoir Surface Area 7.5 acres (at normal or conservation pool)

**Outlet**

Outlet Diameter: 27  in  ft (check one)  
 Type: RCP

**Principal Spillway**

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
 Width (Diam.): 2.25 ft Capacity: \_\_\_\_\_ cfs

**Emergency Spillway**

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
 Width (Diam.): 50 ft Capacity: \_\_\_\_\_ cfs  
 Total Spillway Capacity: 144.33 cfs (crest of the dam)

**SECTION 4: HYDROLOGIC INFORMATION**

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
 PMF Study Year \_\_\_\_\_  
 Drainage Area: 97.47 acres, or \_\_\_\_\_ sq mi  
 Curve Number (AMC III condition) 84  
 Time of Concentration 16.65 min  
 Peak Discharge 93 cfs  
 Peak Stage 596.00 ft-MSL  
 Storm Duration Causing Peak Stage 24 hr

**ATTACHMENT F**  
**WATER QUALITY DATA**



GWDB Reports and Downloads

**Well Basic Details**

Scanned Documents

State Well Number	3224506
County	Tarrant
River Basin	Trinity
Groundwater Management Area	8
Regional Water Planning Area	C - Region C
Groundwater Conservation District	Northern Trinity GCD
Latitude (decimal degrees)	32.680555
Latitude (degrees minutes seconds)	32° 40' 50" N
Longitude (decimal degrees)	-97.070278
Longitude (degrees minutes seconds)	097° 04' 13" W
Coordinate Source	+/- 1 Second
Aquifer Code	218TWMT - Twin Mountains Formation
Aquifer	Trinity
Aquifer Pick Method	
Land Surface Elevation (feet above sea level)	608
Land Surface Elevation Method	Interpolated From Topo Map
Well Depth (feet below land surface)	2000
Well Depth Source	Unknown
Drilling Start Date	
Drilling End Date	0/0/1972
Drilling Method	
Borehole Completion	

Well Type	Withdrawal of Water
Well Use	Industrial
Water Level Observation	None
Water Quality Available	Yes
Pump	Submersible
Pump Depth (feet below land surface)	
Power Type	Electric Motor
Annular Seal Method	
Surface Completion	
Owner	Ortho Company
Driller	J.L. Myers Sons
Other Data Available	
Well Report Tracking Number	
Plugging Report Tracking Number	
U.S. Geological Survey Site Number	
Texas Commission on Environmental Quality Source Id	
Groundwater Conservation District Well Number	
Owner Well Number	
Other Well Number	
Previous State Well Number	
Reporting Agency	
Created Date	
Last Update Date	

Remarks

**Casing - No Data**

**Well Tests - No Data**

**Lithology - No Data**

**Annular Seal Range - No Data**

**Borehole - No Data**

**Plugged Back - No Data**

**Filter Pack - No Data**

**Packers - No Data**

---

**Water Level Measurements**

No Data Available

**Water Quality Analysis**

**Sample Date:** 11/24/1972    **Sample Time:** 0000    **Sample Number:** 1    **Collection Entity:** Registered Water Well Driller

**Sampled Aquifer:** Twin Mountains Formation

**Analyzed Lab:** Pope Testing Lab

**Reliability:** Reliability unknown or not available

**Collection Remarks:** No Data

Parameter Code	Parameter Description	Flag	Value	Units	Plus/Minus
00415	ALKALINITY, PHENOLPHTHALEIN (MG/L)		28	mg/L	
00410	ALKALINITY, TOTAL (MG/L AS CaCO3)		436	mg/L	
00440	BICARBONATE ION, CALCULATED (MG/L AS HCO3)		463.73	mg/L	
00910	CALCIUM (MG/L AS CaCO3)		2.4	mg/L	
00445	CARBONATE ION, CALCULATED (MG/L AS CO3)		33.6	mg/L	
00940	CHLORIDE, TOTAL (MG/L AS CL)		70	mg/L	
00950	FLUORIDE, DISSOLVED (MG/L AS F)		2	mg/L	
00900	HARDNESS, TOTAL, CALCULATED (MG/L AS CaCO3)		10	mg/L	
01045	IRON, TOTAL (UG/L AS FE)		200	ug/L	
00920	MAGNESIUM (MG/L AS CaCO3)		1	mg/L	
01055	MANGANESE, TOTAL (UG/L AS MN)		0	ug/L	
71851	NITRATE NITROGEN, DISSOLVED, CALCULATED (MG/L AS NO3)		0	mg/L	
00400	PH (STANDARD UNITS), FIELD		8.6	SU	
71860	RESIDUAL SODIUM CARBONATE, CALCULATED		8.52		
00931	SODIUM ADSORPTION RATIO, CALCULATED (SAR)		40.1	meq/l	
00932	SODIUM, CALCULATED, PERCENT		98	PCT	
00929	SODIUM, TOTAL (MG/L AS Na)		293	mg/L	
70301	SOLIDS, DISSOLVED, SUM OF CONSTITUENTS, MG/L		733	mg/L	
00094	SPECIFIC CONDUCTANCE, FIELD (UMHOS/CM AT 25C)		1050	MICR	
00945	SULFATE, TOTAL (MG/L AS SO4)		103	mg/L	

**GWDB DISCLAIMER:** Except where noted, all of the information provided in the Texas Water Development Board (TWDB) Groundwater Database (<http://www.twdb.texas.gov/groundwater/data/gwdb.rpt.asp>) is believed to be accurate and reliable; however, the TWDB assumes no responsibility for any errors appearing in rules or otherwise. Further, TWDB assumes no responsibility for the use of the information provided. PLEASE NOTE that users of these data are responsible for checking the accuracy, completeness, currency and/or suitability of all information themselves. TWDB makes no guarantees or warranties as to the accuracy, completeness, currency, or suitability of the information provided via the Groundwater Database (GWDB). TWDB specifically disclaims any and all liability for any claims or damages that may result from providing GWDB data or the information it contains. For additional information or answers to questions concerning the TWDB GWDB, contact the Groundwater Data Team at [GroundwaterData@twdb.texas.gov](mailto:GroundwaterData@twdb.texas.gov).

[GWDB Reports and Downloads](#)

**Well Basic Details**

[Scanned Documents](#)

State Well Number	3224503
County	Tarrant
River Basin	Trinity
Groundwater Management Area	8
Regional Water Planning Area	C - Region C
Groundwater Conservation District	Northern Trinity GCD
Latitude (decimal degrees)	32.680555
Latitude (degrees minutes seconds)	32° 40' 50" N
Longitude (decimal degrees)	-97.0675
Longitude (degrees minutes seconds)	097° 04' 03" W
Coordinate Source	+/- 1 Second
Aquifer Code	218PLXY - Paluxy Sand
Aquifer	Trinity
Aquifer Pick Method	
Land Surface Elevation (feet above sea level)	596
Land Surface Elevation Method	Interpolated From Topo Map
Well Depth (feet below land surface)	1034
Well Depth Source	Unknown
Drilling Start Date	
Drilling End Date	0/0/1970
Drilling Method	
Borehole Completion	

Well Type	Withdrawal of Water
Well Use	Irrigation
Water Level Observation	Miscellaneous Measurements
Water Quality Available	Yes
Pump	Submersible
Pump Depth (feet below land surface)	
Power Type	Electric Motor
Annular Seal Method	
Surface Completion	
Owner	Arbrook
Driller	J.L. Myers Sons
Other Data Available	
Well Report Tracking Number	
Plugging Report Tracking Number	
U.S. Geological Survey Site Number	
Texas Commission on Environmental Quality Source Id	
Groundwater Conservatoin District Well Number	
Owner Well Number	
Other Well Number	
Previous State Well Number	
Reporting Agency	
Created Date	
Last Update Date	

Remarks

**Casing - No Data**

**Well Tests - No Data**

**Lithology - No Data**

**Annular Seal Range - No Data**

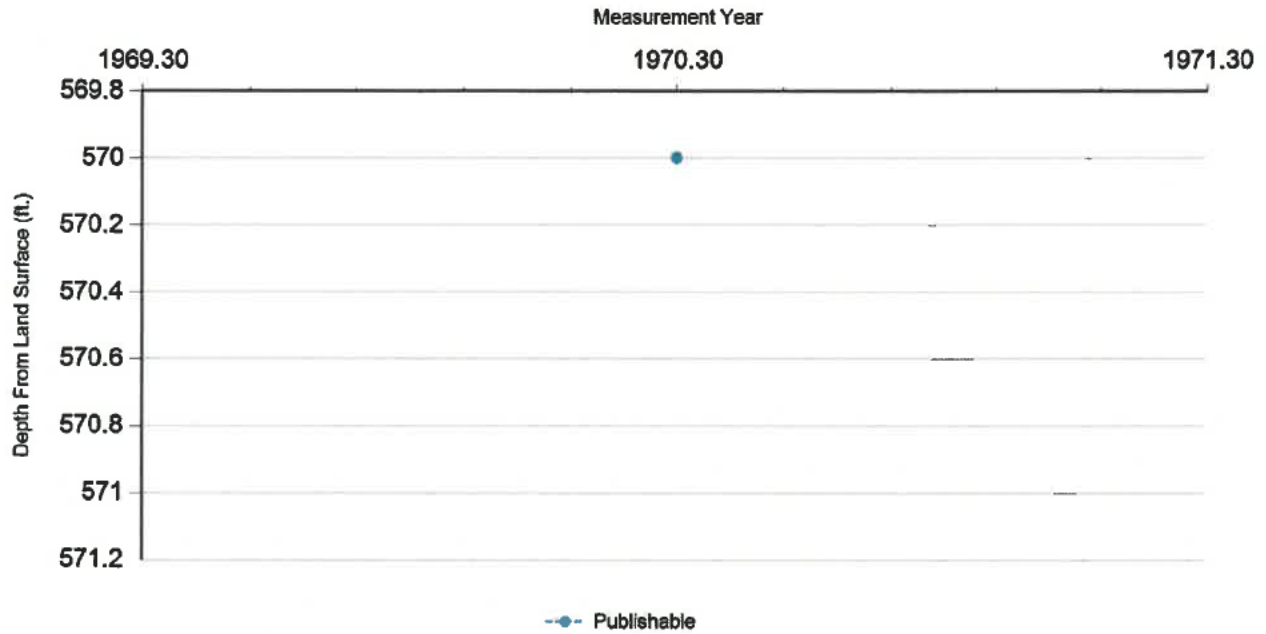
**Borehole - No Data**

**Plugged Back - No Data**

**Filter Pack - No Data**

**Packers - No Data**

Water Level Measurements



Status Code	Date	Time	Water Level (ft. below land surface)	Change value in ( ) indicates rise in level	Water Elevation (ft. above sea level)	Meas #	Measuring Agency	Method	Remark ID	Comments
P	4/21/1970		570		26	1	Other or Source of Measurement Unknown	Unknown		

Code Descriptions

Status Code	Status Description
P	Publishable

**Water Quality Analysis**

**Sample Date:** 4/12/1972    **Sample Time:** 0000    **Sample Number:** 1    **Collection Entity:** Municipal Water Agency or Public Water Supply Corp

**Sampled Aquifer:** Paluxy Sand

**Analyzed Lab:** Misc. Industrial Lab

**Reliability:** Reliability unknown or not available

**Collection Remarks:** No Data

Parameter Code	Parameter Description	Flag	Value	Units	Plus/Minus
00415	ALKALINITY, PHENOLPHTHALEIN (MG/L)		52	mg/L	
00410	ALKALINITY, TOTAL (MG/L AS CaCO3)		402	mg/L	
00440	BICARBONATE ION, CALCULATED (MG/L AS HCO3)		363.66	mg/L	
00910	CALCIUM (MG/L AS CaCO3)		8	mg/L	
00445	CARBONATE ION, CALCULATED (MG/L AS CO3)		62.4	mg/L	
00940	CHLORIDE, TOTAL (MG/L AS CL)		18	mg/L	
00900	HARDNESS, TOTAL, CALCULATED (MG/L AS CaCO3)		8	mg/L	
01045	IRON, TOTAL (UG/L AS FE)		300	ug/L	
01055	MANGANESE, TOTAL (UG/L AS MN)		0	ug/L	
00400	PH (STANDARD UNITS), FIELD		8.8	SU	
00945	SULFATE, TOTAL (MG/L AS SO4)		190	mg/L	

**GWDB DISCLAIMER:** Except where noted, all of the information provided in the Texas Water Development Board (TWDB) Groundwater Database (<http://www.twdb.texas.gov/groundwater/data/gwdb.rpt.asp>) is believed to be accurate and reliable; however, the TWDB assumes no responsibility for any errors appearing in rules or otherwise. Further, TWDB assumes no responsibility for the use of the information provided. PLEASE NOTE that users of these data are responsible for checking the accuracy, completeness, currency and/or suitability of all information themselves. TWDB makes no guarantees or warranties as to the accuracy, completeness, currency, or suitability of the information provided via the Groundwater Database (GWDB). TWDB specifically disclaims any and all liability for any claims or damages that may result from providing GWDB data or the information it contains. For additional information or answers to questions concerning the TWDB GWDB, contact the Groundwater Data Team at [GroundwaterData@twdb.texas.gov](mailto:GroundwaterData@twdb.texas.gov).





September 07, 2016

Project Manager  
One Time Client  
2657 Gravel Dr.  
Fort Worth, TX 76118

RE: Project: 20/360  
Pace Project No.: 7550489

Dear Project Manager:

Enclosed are the analytical results for sample(s) received by the laboratory on August 26, 2016. The results relate only to the samples included in this report. Results reported herein conform to the most current TNI standards and the laboratory's Quality Assurance Manual, where applicable, unless otherwise noted in the body of the report.

If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Kalei Stout

[Redacted]  
Project Manager

Enclosures



**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..



### CERTIFICATIONS

Project: 20/360  
Pace Project No.: 7550489

---

**Dallas Certification IDs:**

400 West Bethany Dr Suite 190, Allen, TX 75013  
EPA# TX00074  
Florida Certification #: E871118  
Texas Certification #: T104704232  
Kansas Certification #: E-10388  
Arkansas Certification #: 88-0647

Oklahoma Certification #: TX00074  
Louisiana Certification #: 30686  
Iowa Certification #: 408  
Florida Certification #: E871118  
Nevada Certification #: TX00074

---

### REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

### SAMPLE SUMMARY

Project: 20/360  
Pace Project No.: 7550489

---

Lab ID	Sample ID	Matrix	Date Collected	Date Received
7550489001	Trinity Well #2	Water	08/25/16 12:00	08/26/16 08:15
7550489002	Paluxy Well #4	Water	08/25/16 11:00	08/26/16 08:15

### REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

**SAMPLE ANALYTE COUNT**

Project: 20/360  
Pace Project No.: 7550489

Lab ID	Sample ID	Method	Analysts	Analytes Reported
7550489001	Trinity Well #2	EPA 200.8	DT1	11
		SM 2540C	DG	1
		SM 4500-H+B	BRO	1
		EPA 300.0	AJJ	2
		EPA 300.0	AJJ	3
7550489002	Paluxy Well #4	EPA 200.8	DT1	11
		SM 2540C	DG	1
		SM 4500-H+B	BRO	1
		EPA 300.0	AJJ	2
		EPA 300.0	AJJ	3

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

### ANALYTICAL RESULTS

Project: 20/360  
Pace Project No.: 7550489

Sample: Trinity Well #2	Lab ID: 7550489001	Collected: 08/25/16 12:00	Received: 08/26/16 08:15	Matrix: Water				
Parameters	Results	Units	Report Limit	DF	Prepared	Analyzed	CAS No.	Qual
<b>200.8 Metals, Total</b>		Analytical Method: EPA 200.8 Preparation Method: EPA 200.8						
Aluminum	ND	mg/L	0.020	1	08/29/16 08:00	09/06/16 21:04	7429-90-5	
Arsenic	0.0016	mg/L	0.00050	1	08/29/16 08:00	09/02/16 22:09	7440-38-2	
Barium	0.011	mg/L	0.00075	1	08/29/16 08:00	09/06/16 21:04	7440-39-3	
Beryllium	ND	mg/L	0.00020	1	08/29/16 08:00	09/02/16 22:09	7440-41-7	
Chromium	ND	mg/L	0.0010	1	08/29/16 08:00	09/06/16 21:04	7440-47-3	
Copper	ND	mg/L	0.0020	1	08/29/16 08:00	09/06/16 21:04	7440-50-8	
Iron	1.3	mg/L	0.020	1	08/29/16 08:00	09/06/16 21:04	7439-89-6	
Manganese	0.022	mg/L	0.0010	1	08/29/16 08:00	09/06/16 21:04	7439-96-5	
Selenium	ND	mg/L	0.0020	1	08/29/16 08:00	09/06/16 21:04	7782-49-2	
Silver	ND	mg/L	0.00050	1	08/29/16 08:00	09/06/16 21:04	7440-22-4	
Zinc	ND	mg/L	0.0050	1	08/29/16 08:00	09/06/16 21:04	7440-66-6	
<b>2540C Total Dissolved Solids</b>		Analytical Method: SM 2540C						
Total Dissolved Solids	2740	mg/L	33.3	1		08/29/16 15:22		
<b>4500H+ pH, Electrometric</b>		Analytical Method: SM 4500-H+B						
pH at 25 Degrees C	7.5	Std. Units	0.10	1		09/06/16 14:39		H6
<b>300.0 IC Anions</b>		Analytical Method: EPA 300.0						
Nitrate as N	ND	mg/L	0.10	1		08/26/16 18:57	14797-55-8	
Nitrite as N	ND	mg/L	0.10	1		08/26/16 18:57	14797-85-0	
<b>300.0 IC Anions 28 Days</b>		Analytical Method: EPA 300.0						
Chloride	46.1	mg/L	2.0	10		09/02/16 17:16	16887-00-6	
Fluoride	2.2	mg/L	0.30	1		09/02/16 16:58	16984-48-8	
Sulfate	1650	mg/L	10.0	100		09/02/16 17:33	14808-79-8	

### REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..



### ANALYTICAL RESULTS

Project: 20/360  
Pace Project No.: 7550489

Sample: Paluxy Well #4	Lab ID: 7550489002	Collected: 08/25/16 11:00	Received: 08/26/16 08:15	Matrix: Water				
Parameters	Results	Units	Report Limit	DF	Prepared	Analyzed	CAS No.	Qual
<b>200.8 Metals, Total</b>	Analytical Method: EPA 200.8 Preparation Method: EPA 200.8							
Aluminum	ND	mg/L	0.020	1	08/29/16 08:00	09/06/16 21:17	7429-90-5	
Arsenic	0.00064	mg/L	0.00050	1	08/29/16 08:00	09/02/16 22:22	7440-38-2	
Barium	0.0028	mg/L	0.00075	1	08/29/16 08:00	09/06/16 21:17	7440-39-3	
Beryllium	ND	mg/L	0.00020	1	08/29/16 08:00	09/02/16 22:22	7440-41-7	
Chromium	ND	mg/L	0.0010	1	08/29/16 08:00	09/06/16 21:17	7440-47-3	
Copper	ND	mg/L	0.0020	1	08/29/16 08:00	09/06/16 21:17	7440-50-8	
Iron	0.032	mg/L	0.020	1	08/29/16 08:00	09/06/16 21:17	7439-89-6	
Manganese	0.0026	mg/L	0.0010	1	08/29/16 08:00	09/06/16 21:17	7439-96-5	
Selenium	ND	mg/L	0.0020	1	08/29/16 08:00	09/06/16 21:17	7782-49-2	
Silver	ND	mg/L	0.00050	1	08/29/16 08:00	09/06/16 21:17	7440-22-4	
Zinc	ND	mg/L	0.0050	1	08/29/16 08:00	09/06/16 21:17	7440-66-6	
<b>2540C Total Dissolved Solids</b>	Analytical Method: SM 2540C							
Total Dissolved Solids	658	mg/L	20.0	1		09/01/16 09:17		
<b>4500H+ pH, Electrometric</b>	Analytical Method: SM 4500-H+B							
pH at 25 Degrees C	8.4	Std. Units	0.10	1		09/06/16 14:37		H6
<b>300.0 IC Anions</b>	Analytical Method: EPA 300.0							
Nitrate as N	ND	mg/L	0.10	1		08/26/16 19:15	14797-55-8	
Nitrite as N	ND	mg/L	0.10	1		08/26/16 19:15	14797-65-0	
<b>300.0 IC Anions 28 Days</b>	Analytical Method: EPA 300.0							
Chloride	18.3	mg/L	2.0	10		09/02/16 18:27	16887-00-6	
Fluoride	1.1	mg/L	0.30	1		09/02/16 18:09	16984-48-8	
Sulfate	141	mg/L	1.0	10		09/02/16 18:27	14808-79-8	

### REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

**QUALITY CONTROL DATA**

Project: 20/360  
Pace Project No.: 7550489

QC Batch: 60299 Analysis Method: EPA 200.8  
QC Batch Method: EPA 200.8 Analysis Description: 200.8 MET  
Associated Lab Samples: 7550489001, 7550489002

METHOD BLANK: 254815 Matrix: Water  
Associated Lab Samples: 7550489001, 7550489002

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Aluminum	mg/L	ND	0.020	09/06/16 19:04	
Arsenic	mg/L	ND	0.00050	09/02/16 20:09	
Barium	mg/L	ND	0.00075	09/06/16 19:04	
Beryllium	mg/L	ND	0.00020	09/02/16 20:09	
Chromium	mg/L	ND	0.0010	09/06/16 19:04	
Copper	mg/L	ND	0.0020	09/06/16 19:04	
Iron	mg/L	ND	0.020	09/06/16 19:04	
Manganese	mg/L	ND	0.0010	09/06/16 19:04	
Selenium	mg/L	ND	0.0020	09/06/16 19:04	
Silver	mg/L	ND	0.00050	09/06/16 19:04	
Zinc	mg/L	ND	0.0050	09/06/16 19:04	

LABORATORY CONTROL SAMPLE: 254816

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Aluminum	mg/L	1	0.94	94	85-115	
Arsenic	mg/L	.1	0.099	99	85-115	
Barium	mg/L	.1	0.10	102	85-115	
Beryllium	mg/L	.1	0.098	98	85-115	
Chromium	mg/L	.1	0.096	96	85-115	
Copper	mg/L	.1	0.097	97	85-115	
Iron	mg/L	1	0.97	97	85-115	
Manganese	mg/L	.1	0.098	98	85-115	
Selenium	mg/L	.1	0.10	104	85-115	
Silver	mg/L	.05	0.052	104	85-115	
Zinc	mg/L	.1	0.10	104	85-115	

MATRIX SPIKE & MATRIX SPIKE DUPLICATE: 254819 254820

Parameter	Units	7550459001 Result	MS Spike Conc.	MSD Spike Conc.	MS Result	MSD Result	MS % Rec	MSD % Rec	% Rec Limits	Max		Qual
										RPD	RPD	
Aluminum	mg/L	0.35	1	1	1.3	1.3	95	94	70-130	1	20	
Arsenic	mg/L	0.0091	.1	.1	0.11	0.11	101	99	70-130	2	20	
Barium	mg/L	0.12	.1	.1	0.22	0.21	98	95	70-130	1	20	
Beryllium	mg/L	ND	.1	.1	0.094	0.093	94	93	70-130	1	20	
Chromium	mg/L	0.0070	.1	.1	0.10	0.10	96	96	70-130	0	20	
Copper	mg/L	0.023	.1	.1	0.11	0.11	91	90	70-130	1	20	
Iron	mg/L	1.1	1	1	2.0	1.9	86	84	70-130	1	20	

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

**QUALITY CONTROL DATA**

Project: 20/360  
Pace Project No.: 7550489

Parameter	Units	MATRIX SPIKE & MATRIX SPIKE DUPLICATE: 254819		254820		MS Result	MSD Result	MS % Rec	MSD % Rec	% Rec Limits	Max RPD	RPD	Qual
		7550459001 Result	MS Spike Conc.	MSD Spike Conc.	MS Result								
Manganese	mg/L	0.045	.1	.1	0.14	0.14	96	93	70-130	2	20		
Selenium	mg/L	0.0025	.1	.1	0.10	0.10	102	102	70-130	0	20		
Silver	mg/L	ND	.05	.05	0.051	0.049	102	98	70-130	4	20		
Zinc	mg/L	0.097	.1	.1	0.18	0.18	83	83	70-130	0	20		

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

### QUALITY CONTROL DATA

Project: 20/360  
Pace Project No.: 7550489

QC Batch: 60346 Analysis Method: SM 2540C  
QC Batch Method: SM 2540C Analysis Description: 2540C Total Dissolved Solids  
Associated Lab Samples: 7550489001

METHOD BLANK: 254954 Matrix: Water  
Associated Lab Samples: 7550489001

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Total Dissolved Solids	mg/L	ND	10.0	08/29/16 15:06	

LABORATORY CONTROL SAMPLE: 254955

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Total Dissolved Solids	mg/L	250	267	107	80-120	

SAMPLE DUPLICATE: 254982

Parameter	Units	7550384001 Result	Dup Result	RPD	Max RPD	Qualifiers
Total Dissolved Solids	mg/L	698	726	4	20	

SAMPLE DUPLICATE: 254983

Parameter	Units	7550478001 Result	Dup Result	RPD	Max RPD	Qualifiers
Total Dissolved Solids	mg/L	590	592	0	20	

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

### REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..



**QUALITY CONTROL DATA**

Project: 20/360  
Pace Project No.: 7550489

---

QC Batch: 60783 Analysis Method: SM 4500-H+B  
QC Batch Method: SM 4500-H+B Analysis Description: 4500H+B pH  
Associated Lab Samples: 7550489001, 7550489002

---

LABORATORY CONTROL SAMPLE: 256802

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
pH at 25 Degrees C	Std. Units	6	6.0	100	99-101	H6

SAMPLE DUPLICATE: 256803

Parameter	Units	7550489002 Result	Dup Result	RPD	Max RPD	Qualifiers
pH at 25 Degrees C	Std. Units	8.4	8.4	0	20	H6

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..



**QUALITY CONTROL DATA**

Project: 20/360  
Pace Project No.: 7550489

QC Batch: 60218 Analysis Method: EPA 300.0  
QC Batch Method: EPA 300.0 Analysis Description: 300.0 IC Anions  
Associated Lab Samples: 7550489001, 7550489002

METHOD BLANK: 254471 Matrix: Water  
Associated Lab Samples: 7550489001, 7550489002

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Nitrate as N	mg/L	ND	0.10	08/26/16 17:29	
Nitrite as N	mg/L	ND	0.10	08/26/16 17:29	

LABORATORY CONTROL SAMPLE: 254472

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Nitrate as N	mg/L	5	5.0	99	90-110	
Nitrite as N	mg/L	5	5.4	108	90-110	

MATRIX SPIKE & MATRIX SPIKE DUPLICATE: 254473 254474

Parameter	Units	7550434003 Result	MS		MSD		MS		MSD		% Rec Limits	RPD	Max RPD	Qual
			Spike Conc.	MSD Spike Conc.	MS Result	MSD Result	% Rec	% Rec						
Nitrate as N	mg/L	12700 ug/L	5.6	5.6	20.6	20.8	143	147	90-110	1	20	M1		
Nitrite as N	mg/L	ND	5.6	5.6	5.9	6.5	106	118	90-110	11	20	M1		

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

**QUALITY CONTROL DATA**

Project: 20/360  
Pace Project No.: 7550489

QC Batch: 60608 Analysis Method: EPA 300.0  
QC Batch Method: EPA 300.0 Analysis Description: 300.0 IC Anions  
Associated Lab Samples: 7550489001, 7550489002

METHOD BLANK: 255990 Matrix: Water  
Associated Lab Samples: 7550489001, 7550489002

Parameter	Units	Blank Result	Reporting Limit	Analyzed	Qualifiers
Chloride	mg/L	ND	0.20	09/02/16 09:33	
Fluoride	mg/L	ND	0.30	09/02/16 09:33	
Sulfate	mg/L	ND	0.10	09/02/16 09:33	

LABORATORY CONTROL SAMPLE: 255991

Parameter	Units	Spike Conc.	LCS Result	LCS % Rec	% Rec Limits	Qualifiers
Chloride	mg/L	5	4.8	97	90-110	
Fluoride	mg/L	5	5.3	106	90-110	
Sulfate	mg/L	5	5.2	105	90-110	

MATRIX SPIKE & MATRIX SPIKE DUPLICATE: 255992 255993

Parameter	Units	7550384001		255993		MS % Rec	MSD % Rec	% Rec Limits	RPD	Max RPD	Qual
		Result	MS Spike Conc.	MSD Spike Conc.	MS Result						
Chloride	mg/L	150	500	500	641	98	97	90-110	1	20	
Fluoride	mg/L	ND	50	50	45.0	90	96	90-110	6	20	
Sulfate	mg/L	61.4	50	50	113	103	110	90-110	3	20	

Results presented on this page are in the units indicated by the "Units" column except where an alternate unit is presented to the right of the result.

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

## QUALIFIERS

Project: 20/360  
Pace Project No.: 7550489

---

### DEFINITIONS

DF - Dilution Factor, if reported, represents the factor applied to the reported data due to dilution of the sample aliquot.  
ND - Not Detected at or above adjusted reporting limit.  
J - Estimated concentration above the adjusted method detection limit and below the adjusted reporting limit.  
MDL - Adjusted Method Detection Limit.  
PQL - Practical Quantitation Limit.  
RL - Reporting Limit.  
S - Surrogate  
1,2-Diphenylhydrazine decomposes to and cannot be separated from Azobenzene using Method 8270. The result for each analyte is a combined concentration.  
Consistent with EPA guidelines, unrounded data are displayed and have been used to calculate % recovery and RPD values.  
LCS(D) - Laboratory Control Sample (Duplicate)  
MS(D) - Matrix Spike (Duplicate)  
DUP - Sample Duplicate  
RPD - Relative Percent Difference  
NC - Not Calculable.  
SG - Silica Gel - Clean-Up  
U - Indicates the compound was analyzed for, but not detected.  
N-Nitrosodiphenylamine decomposes and cannot be separated from Diphenylamine using Method 8270. The result reported for each analyte is a combined concentration.  
Pace Analytical is TNI accredited. Contact your Pace PM for the current list of accredited analytes.  
TNI - The Nelac Institute

### ANALYTE QUALIFIERS

H6 Analysis initiated outside of the 15 minute EPA required holding time.  
M1 Matrix spike recovery exceeded QC limits. Batch accepted based on laboratory control sample (LCS) recovery.

## REPORT OF LABORATORY ANALYSIS

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..

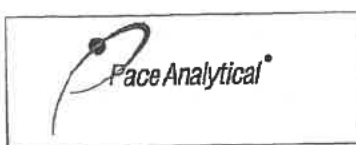
**QUALITY CONTROL DATA CROSS REFERENCE TABLE**

Project: 20/360  
Pace Project No.: 7550489

Lab ID	Sample ID	QC Batch Method	QC Batch	Analytical Method	Analytical Batch
7550489001	Trinity Well #2	EPA 200.8	60299	EPA 200.8	60325
7550489002	Paluxy Well #4	EPA 200.8	60299	EPA 200.8	60325
7550489001	Trinity Well #2	SM 2540C	60346		
7550489002	Paluxy Well #4	SM 2540C	60567		
7550489001	Trinity Well #2	SM 4500-H+B	60783		
7550489002	Paluxy Well #4	SM 4500-H+B	60783		
7550489001	Trinity Well #2	EPA 300.0	60218		
7550489002	Paluxy Well #4	EPA 300.0	60218		
7550489001	Trinity Well #2	EPA 300.0	60608		
7550489002	Paluxy Well #4	EPA 300.0	60608		

**REPORT OF LABORATORY ANALYSIS**

This report shall not be reproduced, except in full,  
without the written consent of Pace Analytical Services, Inc..



Document Name:  
Sample Condition Upon Receipt

Document No.:  
F-DAL-C-001-rev.06

Document Revised: 7/25/16  
Page 1 of 1

Issuing Authority:  
Pace Dallas Quality Office

**Sample Condition Upon Receipt**

Dallas     Ft Worth     San Angelo

**WO#: 7550489**



Client Name: Milligan Well Servi Project Work order: \_\_\_\_\_

Courier: FedEX  UPS  USPS  Client  Courier  LSO  PACE  Other: \_\_\_\_\_

Tracking#: 20117417

Custody Seal on Cooler/Box: Yes  No  Seals Intact: Yes  No  NA

Packing Material: Bubble Wrap  Bubble Bags  Foam  None  Other

Thermometer Used: IR-0 Type of Ice: Wet  Blue  None  Sample Received on Ice, cooling process has begun

Cooler Temp °C: 1.3 (Recorded) 0 (Correction Factor) 1.3 (Actual) Temp should be above freezing to 6°C

Chain of Custody Present	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	1
Chain of Custody filled out	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	2
Chain of Custody relinquished	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	3
Sampler name & signature on COC	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	4
Sample received within HT	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	5
Short HT analyses (<72 hrs)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	6 <u>ph is out of hold</u>
Rush TAT requested	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	7
Sufficient Volume received	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	8
Correct Container used	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	9
Pace Container used	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	
Container Intact	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	10
Unpreserved 5035A soil frozen within 48 hrs	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	11
Filtered volume received for Dissolved tests	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	12
Sample labels match COC	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	13
Include date/time/ID/analyses	Matrix: <u>Water</u>	
All containers needing preservation have been checked	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	14a. Lot# of pH strip: <u>6504012</u> Original pH: <input type="checkbox"/> < 2 <input type="checkbox"/> 2 <input type="checkbox"/> 9 <input type="checkbox"/> 12 or received Neutral <input checked="" type="checkbox"/> Lot# of Iodine strip: _____ Lot# of Lead Acetate strip: _____
Do containers require preservation at the lab	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	14b. Preservation: <u>HNO3</u> Lot# and adjusted pH: <u>080116-2A1A</u> pH < 2 <input checked="" type="checkbox"/> pH > 9 <input type="checkbox"/> pH > 12 <input type="checkbox"/>
<u>Sub Sample for Metals For 001 &amp; 002</u>		14c.
All containers needing preservation are found to be in Compliance with EPA recommendation	Exception: VOA, coliform, O&G Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are soil samples (volatiles) received in Bulk <input type="checkbox"/> Terracore <input type="checkbox"/> EnCore <input type="checkbox"/> NA <input checked="" type="checkbox"/>		15.
Trip Blank present	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	16.
Trip Blank Custody Seals Intact	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	
Pace Trip Blank Lot# (if purchased): _____		
Headspace in VOA (>6mm)	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	17.
Project sampled in USDA Regulated Area:	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>	18. List State _____

Client Notification/Resolution/Comments:

Person Contacted: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments/Resolution: \_\_\_\_\_

Person Examining Contents: Ku Date: 8-26-14 Project Manager Review: Karen Stout



# CHAIN-OF-CUSTODY / Analytical Request Document

The Chain-of-Custody is a LEGAL DOCUMENT. All relevant fields must be completed accurately.

www.paceanalytical.com

Page: \_\_\_\_\_ of \_\_\_\_\_

**Section A**  
Required Client Information:

Company: Millican Well Ser  
 Address: P.O. Box 820487  
 City/State: Atlanta, TX 76182

Report To: Sally Browning  
 Copy To: Millican Well Ser

Purchase Order No.: CK #1709  
 Project Name: 20/360  
 Project Number: Normal

Requested Due Date/TAT: \_\_\_\_\_

**Section B**  
Required Project Information:

Company Name: Millican Well Ser  
 Address: P.O. Box 820487  
 City/State: Atlanta, TX 76182

REGULATORY AGENCY  
 NPDES  GROUND WATER  DRINKING WATER  
 UST  RCRA  OTHER \_\_\_\_\_

Site Location: \_\_\_\_\_ STATE: TX

**Section C**  
Invoice Information:

Attention: \_\_\_\_\_  
 Pace Project Manager: KMS  
 Pace Profile #: 5254-9

ITEM #	Valid Matrix Codes MATRIX CODE DW DRINKING WATER WV WASTE WATER PW PRODUCT WATER SL SOLID CL CLUSTERS WP WIRE AR AIR OT TISSUE OTHER	SAMPLE ID (A-Z, 0-9 / -) Sample IDs MUST BE UNIQUE	COLLECTED		SAMPLE TYPE (G=GRAB C=COMP)	MATRIX CODE (see valid codes to left)	SAMPLE TEMP AT COLLECTION	# OF CONTAINERS	Preservatives H2SO4 HNO3 HCl NaOH Na2S2O8 Methanol Other	Analysis Test ↑	Y/N ↑	Requested Analysis Filtered (Y/N)	Temp in °C	Received on Ice (Y/N)	Custody Sealed Cooler (Y/N)	Samples Inlet (Y/N)	
			COMPOSITE START	COMPOSITE END/GRAB													DATE
1		Trinity Well #2			WT G			1									
2		Paluxy Well #4			WT G			1									
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
	<p><b>ADDITIONAL COMMENTS</b></p> <p>Arsenic, Barium, Beryllium,            Chromium, Selenium, Aluminum,            Copper, Iron, Manganese, Silver,            Zinc</p> <p>RELINQUISHED BY / AFFILIATION: <u>150</u>            DATE: <u>8/26/16</u> TIME: <u>0815</u>            ACCEPTED BY / AFFILIATION: <u>150</u>            DATE: <u>8/25/16</u> TIME: <u>1630</u></p> <p>SAMPLER NAME AND SIGNATURE: _____            PRINT Name of SAMPLER: _____            SIGNATURE of SAMPLER: _____</p>																



# Park 20 - 360

## Transwestern Property Management

	Well #	Well #	Pond
Submittal #	3224506	3224503	
Sample Date	8/12/2016	8/12/2016	4/4/2019
Test Results	8/30/2016	8/30/2016	4/18/2019
	<i>Bldg#1 Trinity</i>	<i>Island by Bldg #5 Paluxy</i>	No well water

### ANALYTICS

#### Water Characteristics

pH		8.3	8.95	7.39
Hardness		204.3	9.36	165.15
Bicarbonates	<i>ppm</i>	383.08	441.64	157.14
Carbonates	<i>ppm</i>	0	16.8	0

#### Impact on Plant Growth

ECw	<i>mmhos/cm</i>	3.91	1.12	0.7
TSS	<i>ppm</i>	2501.76	714.88	449.92

#### Impact From Root Contact

Sodium	<i>meq/l</i>	33.27	10.93	3.52
Chloride	<i>ppm</i>	49.2	18.6	14.3
Boron	<i>ppm</i>	1.23	0.65	0.19

#### Impact From Foliage Contact

Sodium	<i>ppm</i>	765.26	251.35	80.89
Chloride	<i>ppm</i>	49.2	18.6	14.3

#### Impact on Soil Structure

SAR	<i>meq/l</i>	48.51	34.9	4.92
ECw	<i>mmhos/cm</i>	3.91	1.12	0.7
TSS	<i>ppm</i>	2501.76	714.88	449.92

**ATTACHMENT G**  
**GROUNDWATER PERMIT**

**NORTHERN TRINITY GROUNDWATER  
CONSERVATION DISTRICT**

1100 Circle Drive, Ste 300  
Fort Worth, TX 76119  
817.249.2062  
817.249.2918 (fax)



District to Complete:
_____
Well Registration No.
_____
Date Received:
_____
By:
_____

**Application for Transfer of Well Ownership**

A well which has changed ownership.

**Rule 3.6 Transfer of Well Ownership**

- a) Within 90 days after the date of a change in ownership of a new well exempt under Rule 2.1, the new well owner (transferee) shall notify the District in writing of the effective date of the change in ownership, the name, daytime telephone number, and mailing address of the transferee, along with any other contact or well-related information reasonably requested by the General Manager. The transferee may, in addition, be required to submit an application for registration of an existing well if a registration does not yet exist for the well.
- b) Within 90 days after the date of a change in ownership of a well that is not exempt under District Rule 2.1 from the water use fee payment, metering, and reporting requirements of these rules, the new well owner (transferee) shall submit to the District, on a form provided by the District staff, a signed and sworn-to application for transfer of ownership.
- c) If a registrant conveys by any lawful and legally enforceable means to another person the real property interests in one or more wells or a well system that is recognized in the registration so that the transferring party (the transferor) is no longer the "well owner" as defined herein, and if an application for change of ownership under subsection (b) has been approved by the District, the District shall recognize the person to whom such interests were conveyed (the transferee) as the legal holder of the registration, subject to the conditions and limitations of these District Rules.
- d) The burden of proof in any proceeding related to a question of well ownership or status as the legal holder of a registration issued by the District and the rights thereunder shall be on the person claiming such ownership or status. Notwithstanding anything to the contrary herein, any question of well ownership shall be determined pursuant to the laws of the State of Texas, regarding common law for real property rights in groundwater. Taking into consideration the very limited rights legislated to groundwater conservation districts, and nothing shall be construed in these Rules to effectively remove the real property right in water beneath the landowner, as well, ownership shall not be confused with water ownership under this provision, recognizing the two may be different.
- e) Notwithstanding any provision of this Rule to the contrary, no application made pursuant to Subsection (b) of this Rule shall be granted by the District unless all outstanding fees, penalties, and compliance matters have first been fully and finally paid or otherwise resolved by the transferring party (transferor) for all wells included in the application or existing registration, and each well and registration made the subject of the application is otherwise in good standing with the District.
- f) The new owner of a well that is the subject of a transfer described in this rule (transferee) may not operate or otherwise produce groundwater from the well after 90 days from the date of the change in ownership until the new owner has:
  - (1) submitted written notice to the District of the change in ownership, for wells described in subsection (a); or
  - (2) submitted to the District a completed application for transfer of ownership, for wells described in subsection (b).

A new owner of a well that intends to alter or use the well in a manner that would constitute a substantial change from the information in the existing registration or that would trigger the requirement to register the well under these Rules must also submit and obtain District approval of a registration application or registration amendment application, as applicable, prior to altering or operating the well in the new manner.

**Applicant are urged to read all of the Permanent Rules for Water Wells in Tarrant County as adopted by the District Board of Directors on December 17, 2018. Rules can be found at [www.ntgcd.com](http://www.ntgcd.com).**

Part I (A) - Previous Well Owner (The Transferor)

SEE Attached. N-2017-059

Well Owner: \_\_\_\_\_ Phone: \_\_\_\_\_

Contact: \_\_\_\_\_ E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Registrant: (if other than owner) Phone: \_\_\_\_\_

Date of Change in Ownership: Dec 12, 2019

Part I (B) New Well Owner (The Transferee)

Well Owner: HART ARLINGTON TX LLC Phone: \_\_\_\_\_

Contact: TEA BLUES E-mail: \_\_\_\_\_

Mailing address: 2001 Ross Ave, Ste 400

City: Dallas State: TX Zip: 75201

Registrant: (if other than owner) Phone: 214-267-0477

*If registrant is other than owner of the property where the existing well is located, include documentation establishing the applicable authority to operate the existing well for the proposed use.*

Part II - Well Location:

SEE Attached

Well Site Address: \_\_\_\_\_ County: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

GPS manufacturer and model used to measure latitude and longitude: \_\_\_\_\_

If Latitude and Longitude is unknown, please state a convenient time for NTGCD staff to access well information.

Best day(s) of the week: M-F Between the hours of: 8 AM and 5 PM

Will the groundwater withdrawn from the well be used on a property different than the property where the well is located?  No  Yes (If yes, location):

Describe user: \_\_\_\_\_

Will the groundwater produced be transported out of Tarrant County?  No \_\_\_\_\_ Yes

(If yes, explain):

Part III - Well Information (if known):

*See Attached*

Size of Well casing: \_\_\_\_\_ (inside diameter of the pump [discharge] column pipe \_\_\_\_\_

Estimated depth of well: \_\_\_\_\_ feet

Maximum designed production capacity of pump: \_\_\_\_\_ gpm

Method of withdrawal (submersible pump, windmill, etc.): \_\_\_\_\_

Pump motor size: \_\_\_\_\_ Estimated depth to first screen: \_\_\_\_\_ feet

Number of service connections: \_\_\_\_\_ well will service approximately \_\_\_\_\_ individuals for \_\_\_\_\_ days out of the year.

Part IV - Certification:

Applicant agrees that water produced/withdrawn from this well will be put to a beneficial use at all times:

Yes \_\_\_\_\_ No

Applicant agrees to abide by the Rules of the District:  Yes \_\_\_\_\_ No

I hereby certify that the information given herewith is true and accurate to the best of my knowledge and belief.

Jeff Knowles 3-10-2020  
Print Name Date

[Signature]  
Previous Well Owner's Signature

MIKE SCHWARTZERS 3/10/20  
Print Name Date

[Signature]  
Previous Well Owner's Signature



## Well Details

### Well Owner

Well Registration Number: N-2017-059

New Well: False

Name: Park 20/360 Investors, LLC

Phone: 9727742524

Contact Person (if other than well owner): Wes Hendricks

Email Address: [REDACTED]

Fax:

Mailing Address: 200 West Madison St. Suite 1200

City: Chicago

State: IL

Zip Code: 60606

### Registrant (if other than Well Owner)

Name: WaterCentric

Phone: 8004760812

Address: 4720 Dozier Rd

City: Carrollton

State: TX

Zip Code: 75010

### Property Owner (if other than Well Owner)

Name:

Phone:

Address:

City:

State: TX

Zip Code:

### Drilling Company

Name: J. L. Myer's Son

Phone: NA

Driller: W. E. Doss

License: 1227

Expiration Date: 1970-04-01

Email Address:

Fax:

Address: 4306 Harry Hines Blvd

City: Dallas

State: TX

Zip Code: 75205

### Well Location

Well Site Address: 2500 E. Arbrook Blvd. -East Well

City: Arlington

State: TX

Zip Code: 76014

Latitude: 32.68055500

Longitude: -97.06750000

GPS Manufacturer:

GPS Model:



# NORTHERN TRINITY

GROUNDWATER  
CONSERVATION  
DISTRICT

Will the groundwater withdrawn from the well be used in a location different from the well site? **False**

Location where used:

Use Description:

Will the groundwater produced be transported for use at any point outside the boundaries of the District? **False**

Explain:

Is this a replacement well? **False**

Capped? **False**

Plugged? **False**

In Use? **False**

Explain:

#### Purpose for Water Use

Describe what the water from the well will be used for:

Domestic Use (household/ lawn watering at residence): **False**

Municipal / Public Water System: **False**

Livestock Watering: **False**

Industrial/Manufacturing: **False**

Commercial/ Small Business: **False**

Golf course Irrigation: **False**

Solely to supply water for rig actively engaged in drilling or exploration operations for an oil or gas well, and the water well is located on the same lease or field associated with the oil/gas drilling rig (If you check this box, is the owner of the water well the same person who holds the oil/gas well permit issued by the Railroad Commission? **False**

Is the owner of the water well the same person who holds the oil/gas well permit issued by the Railroad Commission? **False**

Supplying water for oil or gas production, or supplying water to rig engaged in drilling or exploration operations for oil or gas where water well is not located on same lease or field associated with the oil/gas drilling rig: **False**

Filling a pond or other surface impoundment: **True**

Other: **True**

Description: **Irrigation**

#### Well Information

Proposed total well depth (in feet): **1034**

Proposed depth to first screen (in feet): **899**

Proposed inside diameter of casing (in inches): **8.75**

Proposed pump motor size in horsepower (HP): **40**

Proposed maximum designed production capacity of pump (in gallons per minute (GPM)): **160**

Anticipated number of service connections: **0**

Approximate number of individuals that will use well service: **0**

Number of days in year well will be in service (0-365): **365**

Water Well Closure Plan: **False**

Signature: **Kenneth Cook**

#### Certification

Signature: **Kenneth Cook**

Date: **3/7/2017**

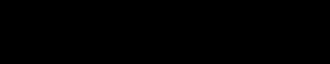
**NORTHERN TRINITY GROUNDWATER  
CONSERVATION DISTRICT**

1100 Circle Drive, Ste 300

Fort Worth, TX 76119

817.249.2062

817.249-2918 (fax)



**Application for Transfer of Well Ownership**

A well which has changed ownership.

District to Complete:

Well Registration No.

Date Received:

By:

**Rule 3.6 Transfer of Well Ownership**

- a) Within 90 days after the date of a change in ownership of a new well exempt under Rule 2.1, the new well owner (transferee) shall notify the District in writing of the effective date of the change in ownership, the name, daytime telephone number, and mailing address of the transferee, along with any other contact or well-related information reasonably requested by the General Manager. The transferee may, in addition, be required to submit an application for registration of an existing well if a registration does not yet exist for the well.
- b) Within 90 days after the date of a change in ownership of a well that is not exempt under District Rule 2.1 from the water use fee payment, metering, and reporting requirements of these rules, the new well owner (transferee) shall submit to the District, on a form provided by the District staff, a signed and sworn-to application for transfer of ownership.
- c) If a registrant conveys by any lawful and legally enforceable means to another person the real property interests in one or more wells or a well system that is recognized in the registration so that the transferring party (the transferor) is no longer the "well owner" as defined herein, and if an application for change of ownership under subsection (b) has been approved by the District, the District shall recognize the person to whom such interests were conveyed (the transferee) as the legal holder of the registration, subject to the conditions and limitations of these District Rules.
- d) The burden of proof in any proceeding related to a question of well ownership or status as the legal holder of a registration issued by the District and the rights thereunder shall be on the person claiming such ownership or status. Notwithstanding anything to the contrary herein, any question of well ownership shall be determined pursuant to the laws of the State of Texas, regarding common law for real property rights in groundwater. Taking into consideration the very limited rights legislated to groundwater conservation districts, and nothing shall be construed in these Rules to effectively remove the real property right in water beneath the landowner, as well, ownership shall not be confused with water ownership under this provision, recognizing the two may be different.
- e) Notwithstanding any provision of this Rule to the contrary, no application made pursuant to Subsection (b) of this Rule shall be granted by the District unless all outstanding fees, penalties, and compliance matters have first been fully and finally paid or otherwise resolved by the transferring party (transferor) for all wells included in the application or existing registration, and each well and registration made the subject of the application is otherwise in good standing with the District.
- f) The new owner of a well that is the subject of a transfer described in this rule (transferee) may not operate or otherwise produce groundwater from the well after 90 days from the date of the change in ownership until the new owner has:
  - (1) submitted written notice to the District of the change in ownership, for wells described in subsection (a); or
  - (2) submitted to the District a completed application for transfer of ownership, for wells described in subsection (b).

A new owner of a well that intends to alter or use the well in a manner that would constitute a substantial change from the information in the existing registration or that would trigger the requirement to register the well under these Rules must also submit and obtain District approval of a registration application or registration amendment application, as applicable, prior to altering or operating the well in the new manner.

**Applicant are urged to read all of the Permanent Rules for Water Wells in Tarrant County as adopted by the District Board of Directors on December 17, 2018. Rules can be found at [www.ntgcd.com](http://www.ntgcd.com).**

**Part I (A) - Previous Well Owner (The Transferor)**

*see Attached*      **N-2017-058**

Well Owner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Contact: \_\_\_\_\_ E-mail: \_\_\_\_\_ Fax: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Registrant: (if other than owner) Phone: \_\_\_\_\_  
Date of Change in Ownership: Dec 12, 2019

**Part I (B) New Well Owner (The Transferee)**

Well Owner: HART ARLINGTON TX, LLC Phone: \_\_\_\_\_  
Contact: TARA BLUMBERG E-mail: \_\_\_\_\_  
Mailing address: 2001 Ross Ave, Ste 400  
City: Dallas State: TX Zip: 75201  
Registrant: (if other than owner) Phone: 214-267-0477  
*If registrant is other than owner of the property where the existing well is located, include documentation establishing the applicable authority to operate the existing well for the proposed use.*

**Part II - Well Location:**

*see Attached*

Well Site Address: \_\_\_\_\_ County: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
GPS manufacturer and model used to measure latitude and longitude: \_\_\_\_\_

If Latitude and Longitude is unknown, please state a convenient time for NTGCD staff to access well information.

Best day(s) of the week: M-F Between the hours of: 8 AM and 5 PM

Will the groundwater withdrawn from the well be used on a property different than the property where the well is located?  No  Yes (If yes, location): \_\_\_\_\_

Describe use: \_\_\_\_\_

Will the groundwater produced be transported out of Tarrant County?  No  Yes

(If yes, explain): \_\_\_\_\_

Part III - Well Information (If known).

*See Attached*

Size of Well casing: \_\_\_\_\_ (inside diameter of the pump [discharge] column pipe \_\_\_\_\_

Estimated depth of well: \_\_\_\_\_ feet

Maximum designed production capacity of pump: \_\_\_\_\_ rpm

Method of withdrawal (submersible pump, windmill, etc.): \_\_\_\_\_

Pump motor size: \_\_\_\_\_ Estimated depth to first screen: \_\_\_\_\_ feet

Number of service connections: \_\_\_\_\_ well will service approximately \_\_\_\_\_ individuals for \_\_\_\_\_ days out of the year.

Part IV - Certification:

Applicant agrees that water produced/withdrawn from this well will be put to a beneficial use at all times:

Yes  No

Applicant agrees to abide by the Rules of the District:  Yes  No

I hereby certify that the information given herewith is true and accurate to the best of my knowledge and belief.

*Jeff Knowles*

*3-10-2020*

Print Name

Date

*R. [Signature]*

Well Owner's Signature

*Mike Schwartzen*

*3/10/20*

Date

*Mike [Signature]*

Well Owner's Signature



## Well Details

### Well Owner

Well Registration Number: N-2017-058  
New Well: False  
Name: Park 20/360 Investors, LLC  
Phone: 9727742524  
Contact Person (if other than well owner): Wes Hendricks  
Email Address: [REDACTED]  
Fax:  
Mailing Address: 200 West Madison St. Suite 1200  
City: Chicago  
State: IL  
Zip Code: 60606

### Registrant (if other than Well Owner)

Name: WaterCentric  
Phone: 8004760812  
Address: 4720 Dozier Rd  
City: Carrollton  
State: TX  
Zip Code: 75010

### Property Owner (if other than Well Owner)

Name:  
Phone:  
Address:  
City:  
State: TX  
Zip Code:

### Drilling Company

Name: J. L. Myer's Son  
Phone: NA  
Driller: W. E. Doss  
License: 1227  
Expiration Date: 1947-10-14  
Email Address:  
Fax:  
Address: 4306 Harry Hines Blvd  
City: Dallas  
State: TX  
Zip Code:

### Well Location

Well Site Address: 2500 E. Arbrook Blvd. -West Well  
City: Arlington  
State: TX  
Zip Code: 76013  
Latitude: 32.68055500  
Longitude: -97.07027800  
GPS Manufacturer:  
GPS Model:

# NORTHERN TRINITY

GROUNDWATER  
CONSERVATION  
DISTRICT

Will the groundwater withdrawn from the well be used in a location different from the well site? **False**

Location where used:

Use Description:

Will the groundwater produced be transported for use at any point outside the boundaries of the District? **False**

Explain:

Is this a replacement well? **False**

Capped? **False**

Plugged? **False**

In Use? **False**

Explain:

#### Purpose for Water Use

Describe what the water from the well will be used for:

Domestic Use (household/ lawn watering at residence): **False**

Municipal / Public Water System: **False**

Livestock Watering: **False**

Industrial/Manufacturing: **False**

Commercial/ Small Business: **False**

Golf course irrigation: **False**

Solely to supply water for rig actively engaged in drilling or exploration operations for an oil or gas well, and the water well is located on the same lease or field associated with the oil/gas drilling rig (if you check this box, is the owner of the water well the same person who holds the oil/gas well permit issued by the Railroad Commission)? **False**

Is the owner of the water well the same person who holds the oil/gas well permit issued by the Railroad Commission? **False**

Supplying water for oil or gas production, or supplying water to rig engaged in drilling or exploration operations for oil or gas where water well is not located on same lease or field associated with the oil/gas drilling rig: **False**

Filling a pond or other surface impoundment: **True**

Other: **True**

Description: **Irrigation**

#### Well Information

Proposed total well depth (in feet): **2000**

Proposed depth to first screen (in feet): **1830**

Proposed inside diameter of casing (in inches): **10.75**

Proposed pump motor size in horsepower (HP): **85**

Proposed maximum designed production capacity of pump (in gallons per minute (GPM)): **220**

Anticipated number of service connections: **0**

Approximate number of individuals that will use well service: **0**

Number of days in year well will be in service (0-365): **365**

Water Well Closure Plan: **False**

Signature: **Kenneth Cook**

#### Certification

Signature: **Kenneth Cook**

Date: **3/7/2017**