

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 14054

Bechtel Energy Inc. seeks a temporary water use permit to divert and use not to exceed 250 acre-feet of water, within a period of three years, from a diversion reach on the Sabine-Neches Canal, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 7.798 cfs (3,500 gpm), for industrial purposes in Jefferson County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Bechtel Energy Inc., 3750 S. Gulfway Dr., Port Arthur, TX 77640, Applicant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Temporary Water Use Permit pursuant to Texas Water Code § 11.138 and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, et seq. Mailed notice to the downstream water right holders of record in the Neches-Trinity Coastal Basin is required pursuant to Title 30 TAC § 295.154(a).

Bechtel Energy Inc. seeks a temporary water use permit to divert and use not to exceed 250 acre-feet of water, within a period of three years, from the Sabine-Neches Canal, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 7.798 cfs (3,500 gpm), for industrial purposes in Jefferson County.

The water will be diverted from a diversion reach with the upstream point being at Latitude 29.791593° N, Longitude 93.954886° W and the downstream point being at Latitude 29.791787° N, Longitude 93.954259° W, in ZIP code 77640.

The application was received on January 16, 2025 and fees were received on February 26, 2025. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 10, 2025.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, the installation of a measuring device for diversions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

PUBLIC COMMENT/PUBLIC MEETING. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by July 14, 2025. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by July 14, 2025. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by July 14, 2025.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

INFORMATION. Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRTTP 14054 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued: June 27, 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 14054

TYPE § 11.138

Permittee:	Bechtel Energy Inc.	Address:	3750 S. Gulfway Dr. Port Arthur, TX 77640
Received:	January 16, 2025	Granted:	
Watercourse:	Sabine-Neches Canal	County:	Jefferson
		Watershed:	Neches-Trinity Coastal Basin

WHEREAS, after considering the recommendation of the staff relative to the above identified application, the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. The application is in proper form and accompanied by all necessary fees.
2. Sufficient water is available in the proposed diversion reach to satisfy the requested diversion and use of not to exceed 250 acre-feet of water, within a period of three years, from the Sabine-Neches Canal, Neches-Trinity Coastal Basin, for industrial purposes in Jefferson County.
3. The water will be diverted at a maximum combined diversion rate of 7.798 cfs (3,500 gpm) from a diversion reach with the upstream point being at Latitude 29.791593° N, Longitude 93.954886° W and the downstream point being at Latitude 29.791787° N, Longitude 93.954259° W.
4. Notice of this application was mailed to the downstream water right holders of record in the Neches-Trinity Coastal Basin.

CONCLUSIONS OF LAW

1. Jurisdiction is vested to consider this application under Texas Water Code § 11.138 and Title 30 Texas Administrative Code §§ 295.174 and 297.13.
2. Applicant has complied with the particular requirements of the Texas Commission on Environmental Quality.

3. The Executive Director recommends that special conditions be included.

NOW, THEREFORE, Temporary Water Use Permit No. 14054 is issued to Bechtel Energy Inc., subject to the following terms and conditions:

1. USE

Permittee is authorized to divert and use not to exceed 250 acre-feet of water, within a period of three years, from the Sabine-Neches Canal for industrial purposes in Jefferson County.

2. DIVERSION

Permittee is authorized to divert:

- A. From a diversion reach with the upstream point being at Latitude 29.791593° N, Longitude 93.954886° W and the downstream point being at Latitude 29.791787° N, Longitude 93.954259° W.
- B. Maximum combined diversion rate of 7.798 (3,500 gpm).

3. SPECIAL CONDITIONS

- A. Permittee shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens on any new diversion structure(s).
- B. This temporary water use permit is junior to all existing water rights in the Neches-Trinity Coastal Basin.
- C. Upon diversion and use of the water authorized herein, this temporary water use permit shall expire and be of no further force and effect.
- D. This temporary water use permit shall expire and become null and void three years from the date of issuance with no further Commission action. Permittee also waives the right to notice and hearing on cancellation of this water right.
- E. No diversion of water shall be made when such water is required to satisfy domestic and livestock demands downstream, or when necessary to satisfy senior and superior water rights and instream needs.
- F. Permittee shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized above in Paragraph 2. DIVERSION and maintain measurement records.
- G. Permittee shall allow representatives of the Texas Commission on Environmental Quality reasonable access to the property to inspect the measuring device and records.
- H. The issuance of this temporary water use permit does not grant to the permittee the right to use private or public property for diversion of water authorized by this permit. This includes property belonging to but not limited to any individual, partnership, corporation, or public entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the

responsibility of the permittee to acquire property rights as may be necessary to make any diversion authorized by this permit.

This temporary water use permit does not vest in its holder a permanent right and shall in no event be construed as a commitment of the Commission to approve or disapprove any other application or request by the permittee.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein, and such agreement is a condition precedent to the granting of this temporary water use permit.

All other matters requested in the application which are not specifically granted by this temporary water use permit are denied.

This temporary water use permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to its right of continuing supervision.

For the Commission

DATE ISSUED:

Heather Zuo

From: Assaf, Karim [REDACTED]
Sent: Tuesday, June 24, 2025 3:16 PM
To: Heather Zuo
Cc: Chris Kozlowski; Humberto Galvan; Joshua Schauer; Myers, Jennifer
Subject: RE: Bechtel Energy Inc. Application No. 14054 Draft Amendment

Good afternoon Ms. Zuo,

I have no comments or questions on the draft permit.

Thanks

Karim Assaf, P.E. | Environmental Services Manager

Bechtel Energy
2105 CityWest Blvd.
Houston, TX 77042

[REDACTED] | T +1.713.235.4958

[REDACTED] | [bechtel.com](https://www.bechtel.com)



From: Heather Zuo <Heather.Zuo@tceq.texas.gov>
Sent: Thursday, June 19, 2025 4:20 PM
To: Assaf, Karim [REDACTED]
Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Joshua Schauer <Joshua.Schauer@Tceq.Texas.Gov>
Subject: Bechtel Energy Inc. Application No. 14054 Draft Amendment

Good afternoon Mr. Assaf,

Attached is the copy of the draft amendment. Please let me know if you have any questions.

Best,
Heather Zuo
Project Manager
Water Rights Permitting Team, Water Availability Division
Texas Commission on Environmental Quality
heather.zuo@tceq.texas.gov | (512)-239-4636

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 19, 2025

Mr. Karim Assaf, PE., Environmental Manager
Bechtel Energy Inc.
3750 S. Gulfway Dr.
Port Arthur, TX 77640- 4704

VIA E-MAIL

RE: Bechtel Energy Inc.
W RTP 14054
CN605159847, RN112119243
Application No. 14054 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Sabine-Neches Canal, Neches-Trinity Coastal Basin
Jefferson County

Dear Mr. Assaf:

Drafts, subject to revision, of the public notice, proposed Temporary Water Use Permit No. 14054, and the related technical memoranda are attached.

Staff is recommending that the referenced application be granted in accordance with the attached drafts. Please review the drafts and contact me no later than July 3, 2025, with any comments or questions as the notice will be forwarded to the Office of the Chief Clerk for mailing after that date.

Please note this application requires a 15-day comment period and once the comment period has closed, the proposed Temporary Water Use Permit No. 14054 may be issued as drafted given no hearing requests are received.

If you have any questions concerning this matter, please contact me via email at Heather.Zuo@tceq.texas.gov or by telephone at (512) 239-4636.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Zuo", written over a horizontal line.

Heather Zuo, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 14054

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Bechtel Energy Inc. seeks a temporary water use permit to divert and use not to exceed 250 acre-feet of water, within a period of three years, from the Sabine-Neches Canal, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 7.798 cfs (3,500 gpm), for industrial purposes in Jefferson County.

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The application was received on January 16, 2025 and fees were received on February 26, 2025. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 10, 2025.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, the installation of a measuring device for diversions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

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CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by 2025. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by 2025.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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Issued:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 14054

TYPE § 11.138

Permittee:	Bechtel Energy Inc.	Address:	3750 S. Gulfway Dr. Port Arthur, TX 77640
Received:	January 16, 2025	Granted:	
Watercourse:	Sabine-Neches Canal	County:	Jefferson
		Watershed:	Neches-Trinity Coastal Basin

WHEREAS, after considering the recommendation of the staff relative to the above identified application, the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. The application is in proper form and accompanied by all necessary fees.
2. Sufficient water is available in the proposed diversion reach to satisfy the requested diversion and use of not to exceed 250 acre-feet of water, within a period of three years, from the Sabine-Neches Canal, Neches-Trinity Coastal Basin, for industrial purposes in Jefferson County.
3. The water will be diverted at a maximum combined diversion rate of 7.798 cfs (3,500 gpm) from a diversion reach with the upstream point being at Latitude 29.791593° N, Longitude 93.954886° W and the downstream point being at Latitude 29.791787° N, Longitude 93.954259° W.
4. Notice of this application was mailed to the downstream water right holders of record in the Neches-Trinity Coastal Basin.

CONCLUSIONS OF LAW

1. Jurisdiction is vested to consider this application under Texas Water Code § 11.138 and Title 30 Texas Administrative Code §§ 295.174 and 297.13.
2. Applicant has complied with the particular requirements of the Texas Commission on Environmental Quality.

3. The Executive Director recommends that special conditions be included.

NOW, THEREFORE, Temporary Water Use Permit No. 14054 is issued to Bechtel Energy Inc., subject to the following terms and conditions:

1. USE

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- B. Maximum combined diversion rate of 7.798 (3,500 gpm).

3. SPECIAL CONDITIONS

- A. Permittee shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens on any new diversion structure(s).
- B. This temporary water use permit is junior to all existing water rights in the Neches-Trinity Coastal Basin.
- C. Upon diversion and use of the water authorized herein, this temporary water use permit shall expire and be of no further force and effect.
- D. This temporary water use permit shall expire and become null and void three years from the date of issuance with no further Commission action. Permittee also waives the right to notice and hearing on cancellation of this water right.
- E. No diversion of water shall be made when such water is required to satisfy domestic and livestock demands downstream, or when necessary to satisfy senior and superior water rights and instream needs.
- F. Permittee shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized above in Paragraph 2. DIVERSION and maintain measurement records.
- G. Permittee shall allow representatives of the Texas Commission on Environmental Quality reasonable access to the property to inspect the measuring device and records.
- H. The issuance of this temporary water use permit does not grant to the permittee the right to use private or public property for diversion of water authorized by this permit. This includes property belonging to but not limited to any individual, partnership, corporation, or public entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the

responsibility of the permittee to acquire property rights as may be necessary to make any diversion authorized by this permit.

This temporary water use permit does not vest in its holder a permanent right and shall in no event be construed as a commitment of the Commission to approve or disapprove any other application or request by the permittee.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein, and such agreement is a condition precedent to the granting of this temporary water use permit.

All other matters requested in the application which are not specifically granted by this temporary water use permit are denied.

This temporary water use permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to its right of continuing supervision.

For the Commission


DATE ISSUED:

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Heather Zuo, Project Manager
Water Rights Permitting Team

Date: March 26, 2025

Through: Leslie Patterson, Team Leader 
Resource Protection Team

From: George Gable, Aquatic Scientist
Resource Protection Team

Subject: Bechtel Energy, Inc.
WRTP 14054
CN605159847
Sabine-Neches Canal, Neches-Trinity Coastal Basin
Jefferson County

Environmental reviews of water right applications are conducted in accordance with applicable provisions of the Texas Water Code (TWC) and the administrative rules of the Texas Commission on Environmental Quality (TCEQ). The provisions applicable to environmental reviews can vary according to the type and the location of the authorization requested.

APPLICATION SUMMARY

Bechtel Energy, Inc. (Applicant) requests a temporary water use permit to divert a maximum of 250 acre-feet of water within a three-year period from a reach on the Sabine-Neches Canal, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 7.798 cfs (3,500 gpm), for industrial purposes in Jefferson County.

ENVIRONMENTAL ANALYSIS

On April 20, 2011, the TCEQ adopted environmental flow standards for the Sabine and Neches Rivers, and Sabine Lake Bay (Title 30 Texas Administrative Code (TAC) Chapter 298 Subchapter C). These environmental flow standards are considered adequate to support a sound ecological environment (Title 30 TAC § 298.260). This review is conducted in accordance with §11.147(e-3) of the TWC and Title 30 TAC Chapter 298 Subchapter C (Sabine and Neches Rivers, and Sabine Lake Bay). The Applicant's proposed diversion location is in the tidally-influenced portion of the Sabine-Neches Canal.

RECOMMENDATIONS

Resource Protection staff recommends the following Special Condition be included in the permit, if granted:

Permittee shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens on any new diversion structure(s).

George M Gable IV

George Gable, Aquatic Scientist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Heather Zuo, Project Manager
Water Rights Permitting Team

Date: May 6, 2025

Through: *KA* Kathy Alexander, Ph.D., Policy and Technical Analyst
Water Availability Division

TG Trent Gay, Team Leader
Surface Water Availability Team

From: Emily Lane, Hydrologist
Surface Water Availability Team

Subject: Bechtel Energy, Inc.
WRTP 14054
CN605159847
Sabine-Neches Canal, Neches-Trinity Coastal Basin
Jefferson County

HYDROLOGY REVIEW

Application Summary

Bechtel Energy, Inc. (Applicant) requests a temporary water use permit to divert a maximum of 250 acre-feet of water within a three-year period from a reach on the Sabine-Neches Canal, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 7.798 cfs (3,500 gpm), for industrial purposes in Jefferson County.

The application was declared administratively complete on January 16, 2025.

Hydrology Review

Resource Protection staff did not recommend instream flow requirements for this application; however, they did recommend a special condition. See Resource Protection memo dated March 26, 2025.

Staff reviewed current conditions in the Neches-Trinity River Basin to determine whether surplus water is available for this request. Staff notes that the most recent Drought Monitor (May 6, 2025) indicates that the portion of Jefferson County where the application is located is not experiencing any drought conditions.

On April 20, 2011, the TCEQ adopted environmental flow standards for the Sabine and Neches River Basins and Sabine Lake Bay (Chapter 298 – Environmental Flow Standards for Surface Water, Subchapter C). The adopted rules do not include freshwater inflow standards for Sabine Lake Bay. The Sabine and Neches Rivers

and Sabine Lake Bay Basin and Bay Expert Science Team (BBEST) indicated that the average annual inflow to Sabine Lake Bay is 14,000,000 acre-feet per year.¹ The BBEST also indicated that 8.9% of this volume originates from Texas and Louisiana Coastal Inflows.² Staff found that a diversion of 250 acre-feet of water is less than 0.02% of the total freshwater inflow. Therefore, Staff is of the opinion that the diversion should not result in a significant reduction of freshwater inflows to Sabine Lake Bay.

Conclusion

Staff can support granting the application provided the permit includes Resource Protection staff's recommendations.



Emily Lane, Hydrologist

¹ Sabine and Neches Rivers and Sabine Lake Bay Expert Science Team (November 2009). Environmental Flows Recommendations Report. Table 17. *Summary Information for Major Texas Estuaries*. Pg 143.

² Sabine and Neches Rivers and Sabine Lake Bay Expert Science Team (November 2009). Environmental Flows Recommendations Report. Figure 35. *Percent Inflow Contributions to Sabine Lake*. Pg 146.

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Heather Zuo, Project Manager
Water Rights Permitting Team

DATE: March 10, 2025

SUBJECT: Bechtel Energy Inc.
WRTP 14054
CN605159847, RN112119243
Application No. 14054 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Sabine-Neches Canal, Neches-Trinity Coastal Basin
Jefferson County

The application was received on January 16, 2025. Fees were received on February 26, 2025. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on March 10, 2025. Mailed notice to downstream water right holders of record in the Neches-Trinity Coastal Basin is required pursuant to Title 30 Texas Administrative Code § 295.154(a).

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

Heather Zuo

Heather Zuo, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required ☒ **YES** ☐ **NO**

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 10, 2025

Mr. Karim Assaf
Bechtel Energy Inc.
3570 S. Gulfway Drive
Port Arthur, TX 77640

VIA E-MAIL

RE: Bechtel Energy Inc.
WRTP 14054
CN605159847, RN112119243
Application No. 14054 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Sabine-Neches Canal, Neches-Trinity Coastal Basin
Jefferson County

Dear Mr. Assaf:

This acknowledges receipt of the referenced application on January 16, 2025, and of fees in the amount of \$521.88 (Document No. J5810599, copy attached) on February 26, 2025.

The application was declared administratively complete and filed with the Office of the Chief Clerk on March 10, 2025. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning the application, please contact me via email at Heather.Zuo@tceq.texas.gov or by telephone at (512) 239-4636.

Sincerely,

A handwritten signature in cursive script that reads "Heather Zuo".

Heather Zuo, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section



Basis2 - Receipt History Report

04-MAR-25 09:13 AM

<u>Bank Slip#</u>	<u>Slip Status</u>	<u>Tran.Date</u>	<u>Tran.Code</u>	<u>Created By</u>	<u>Endorse #</u>	<u>USAS Proj #</u>	<u>Paid For</u>	<u>Orig Tran Amt</u>
<u>Document#</u>	<u>Site Code</u>				<u>Endorse.Date</u>	<u>Permit/Proj #</u>	<u>Vendor #</u>	<u>Corrected?</u>
<u>Fee Code</u>	<u>Account Name</u>		<u>Account #</u>	<u>Paid In By</u>		<u>Check Number</u>	<u>Pay Type</u>	<u>Corrected Tran Amt</u>
BS00114360	Closed							
J5810599	RS	26-FEB-25	W	JARIVERA	WRS0056482		NECHES	-\$521.88
EMG	TEMPORARY/EME		EMG	TX	022525	WIRE	TRINITY	
	RGENCY WTR			COMPTROLLER/BE			COASTAL	-\$521.88
	USE PERMIT			CHTEL ENERGY I			BASIN/P B	
	ISSUE						OCONNOR	
							WT	
Grand Total:								
-\$521.88								

Heather Zuo

From: Jeremy Walker-Lee
Sent: Wednesday, February 26, 2025 9:13 AM
To: Heather Zuo
Cc: Chris Kozlowski
Subject: FW: ACH PAYMENT RECEIVED
Attachments: WaterUsePermitApplication_PALNG-Tanks_w_Attachments-Signed.pdf

Email from Bechtel regarding their current in house application for your files.

From: Assaf, Karim <[REDACTED]>
Sent: Wednesday, February 26, 2025 9:09 AM
To: Jamie Rivera <Jamie.Rivera@tceq.texas.gov>; AP Support - Corporate Payables <pxcorp@bechtel.com>
Cc: Jeremy Walker-Lee <Jeremy.Walker-Lee@tceq.texas.gov>
Subject: RE: ACH PAYMENT RECEIVED

Jamie,

The payment is for a Temporary Water Use permit application submitted to the TCEQ on 01/16/2025. The TCEQ Project Manager is Mr. Jeremey Walker-Lee who is copied on this email.

Thanks

Karim Assaf, P.E.
O: 713-235-4958
M: [REDACTED]

From: Jamie Rivera <Jamie.Rivera@tceq.texas.gov>
Sent: Wednesday, February 26, 2025 9:00 AM
To: AP Support - Corporate Payables <pxcorp@bechtel.com>; Assaf, Karim <[REDACTED]>
Subject: ACH PAYMENT RECEIVED

Good morning,

The TCEQ received the below ACH payment. Can you please provide me with remittance regarding this payment?

BECHTEL ENERGY I

\$521.88 ISA*00* *00* *ZZ*BECHTEL
*ZZ*BOFAECSUSO *250224*105
1*U*00401*000078269*1*P*~GS*RA*BECHTE
L*BOFAECSUSO*20250224*1051*78269*X*00
4010~ ST*820*0069~BPR*C*521.
88*C*ACH*CTX*01*071923284*DA*876540090
5*8094878998**01*021
409169*DA*0135821003*20250225~TRN*1*PX
A0001905182~CUR*PE*USD~REF*TN**EDI
PAYMNT~ N1*RB*BIBO-JPMORGAN CHASE
BANK, NATIONAL~N3*4915 INDEPENDENCE
PKWY,~N4*TAMPA*FL*
33634*US~N1*PR*BECHTEL ENERGY INC.
*93*LE - US COMMERCIAL~N3*50 BEALE
STREET~N4*S AN FRANCISCO*CA*94105-
1895*US~PER*AD**ED*S~N1*PE*TEXAS
COMPTROLLER OF PUBLIC ACC
OUNT*93*808805154~N2*S~N3*12100 PARK
35
CIRCLE~N4*AUSTIN*TX*78753*US~ENT*1~R
MR*I V*CR130225**521.88*521.
88*0~REF*PO*499965~DTM*003*20250213~A
DX*0*ZZ*BP*PO 499965
~SE*22*0069~GE*0001*78269~IEA*0001*0000
78269~

Thank you,

Jamie Rivera

Accountant
Reconciliation and Reporting Team
Revenue Operations Section
Financial Administration Division
512-239-5128
Jamie.rivera@tceq.texas.gov

Bechtel Energy, Inc.
2105 CityWest Blvd
Houston, TX 77042



January 16, 2025

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

RECEIVED

By Eddie Valencia at 11:45 am, Jan 16, 2025

Subject: Port Arthur LNG Project - Temporary Water Use Permit Application

Please find attached a completed application for a temporary water use permit for 250 Acre-feet of water for a diversion period no longer than three (3) years. The water will be obtained from the Sabine-Neches Canal and is intended for industrial uses to support the construction of the Port Arthur LNG Project.

An electronic copy of the permit application was submitted via email on January 16th, 2025 to WRPT@tceq.texas.gov and jeremy.walker-lee@tceq.texas.gov. The permit application fees will be paid through electronic fund transfer.

Please feel free to contact me at 713-235-4958, or via email at [REDACTED] for any questions or comments regarding this application.

Best Regards,

A handwritten signature in blue ink, appearing to read "Karim Assaf", written in a cursive style.

Karim Assaf, PE
Environmental Manager
Port Arthur LNG Project

Attachment/

Permit application



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEMPORARY WATER RIGHTS PERMIT

APPLICATION

Application for a temporary water use permit for more than 10 acre-feet of water and/or for a diversion period longer than one calendar year but not exceeding three years or for a temporary bed and banks authorization.

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

This form may also be used for a temporary bed and banks authorization.

Applicants are REQUIRED 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 of the Water Availability Division to schedule a meeting at (512) 239-4600.

Date of pre-application meeting: January 15th, 2025

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). Instructions, Page 5.

Y/N

Y **Administrative Information**

N Additional Co-Applicant Information

N Additional Co-Applicant Signatures

Y Written Evidence of Signature Authority

Y **USGS Map (or equivalent)**

Y **Worksheet 1.0**

N Recorded Deeds for Irrigated Land

N Consent for Irrigated Land

Y **Worksheet 1.1**

Y **Worksheet 2.0**

Y Additional W.S. 2.0 for each Point

Y Recorded Deeds for Diversion Point(s)

Y Consent for Diversion Access

Y/N

N **Worksheet 3.0**

N Ground Water Well Permit

N Signed Water Supply Contract

N **Worksheet 3.1**

N **Worksheet 4.0**

N **Worksheet 5.0**

N Accounting Plan

Y **Worksheet 6.0**

N **Fees** - Will be paid through electronic fund transfer

ADMINISTRATIVE INFORMATION

1. TYPE OF APPLICATION (Instructions, Page 6)

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

☒ Temporary Appropriation of State Water

☐ Temporary Bed and Banks Authorization

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

The temporary water use permit is for a total of 250 acre-feet, for a diversion period no longer than three (3) years, at a maximum pumping rate of 3,500 gpm. The water will be obtained from a diversion reach at the future Marine Berth of the Project off of the Sabine-Neches Canal. The water will be used for industrial purposes and to support the construction of the Port Arthur LNG Project.

2. APPLICANT INFORMATION (Instructions, Page 6)

Indicate the number of Applicants/Co-Applicants ¹ _____
(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?
Bechtel Energy, Inc.

(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
www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch

CN : 605159847 (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application?

First/Last Name: Kane McIntosh

Title: Site Manager

Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in Title 30, Texas Administrative Code (30 TAC), Section 295.14.

Have you provided written evidence meeting the signatory requirements in 30 TAC Section 295.14, as an attachment to this application? Y/N Y

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 **Look Up a ZIP Code**
tools.usps.com/go/ZipLookupAction!input.action.

Name: Kane McIntosh

Mailing Address: 3570 S. Gulfway Dr.

City: Port Arthur State: Texas ZIP Code: 77640

Indicate an X next to the type of Applicant:

<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship-D.B.A.
<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Trust	<input type="checkbox"/> Estate
<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> County Government	<input type="checkbox"/> City Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 12057840691 SOS Charter (filing) Number: _____

3. APPLICATION CONTACT INFORMATION (Instructions, Page 8)

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: Karim Assaf

Title: Environmental Manager

Organization Name: Bechtel Energy, Inc.

Mailing Address: 3570 S. Gulfway Dr.

City: Port Arthur State: Texas ZIP Code: 77640

Phone Number: 713-235-4958

Fax Number: _____

E-mail Address: 

4. 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 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 Section 16.012(m) and 30 TAC Section 297.41(a)(5).

Applicants should check survey status on the TWDB website prior to filing:

www3.twdb.texas.gov/apps/reports/WU/SurveyStatus_PriorThreeYears

Applicant has submitted all required TWDB surveys of groundwater and surface water?

Yes / No Yes

5. SIGNATURE PAGE (Instructions, Page 10)

Applicant:

I, Kane McIntosh

Site Manager

(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 Section 295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: 

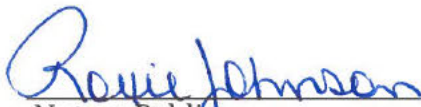
Date: 16-Jan-25

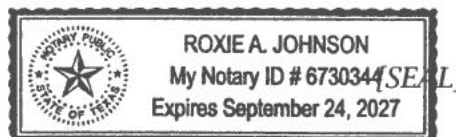
(Use blue ink)

Subscribed and Sworn to before me by the said

on this 16 day of JANUARY, 2025.

My commission expires on the 24 day of September, 2027.


Notary Public



Jefferson County, Texas

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

TECHNICAL INFORMATION

1. TYPE OF REQUEST (Instructions, Page 11)

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 Section 11.021.*

Applicant requests a new temporary appropriation of State Water? Y / N Y

If Applicant answered yes, the following information is required:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - 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 6.0- Calculation of Fees**
- **Fees calculated on Worksheet 6.0**
- **Maps – See instructions Page. 13**

Applicant requests a temporary bed and banks authorization? (Water sources may include groundwater, contract water, or other sources). Y/N N

If Applicant answered yes, the following information is required:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - 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 3.0 - Discharge Information Worksheet** (submit one worksheet for each discharge point)
- **Worksheet 4.0 - Environmental Information Worksheet**
- **Worksheet 5.0 - Accounting Plan Information Worksheet**
- **Worksheet 6.0 - Calculation of Fees**
- **Fees calculated on Worksheet 6.0**
- **Maps – See instructions Page. 13**

2. BED AND BANKS. TWC Section 11.042 (Instructions, Page 11)

- 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 Section 11.042(a). Y/N N

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC Sections 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 required worksheets for a request for a temporary bed and banks application with the Contract Water identified as an alternate source; or*
- 2. Seller must amend its underlying water right. For more information about amending a water right, please contact the Water Rights Permitting Team at (512) 239-4600.*

- b. 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 N
- c. Applicant requests to convey water from any other source, other than (a) or (b) above, using the bed and banks of a watercourse? TWC Section 11.042(c). Y / N N

WORKSHEET 1.0

Quantity, Purpose, and Place of Use

1. New Temporary Authorizations (Instructions, Page 13)

Submit the following information regarding quantity, purpose and place of use for requests for a temporary appropriation of State Water or temporary Bed and Banks authorization:

Quantity (acre- feet) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source *each alternate source also requires completion of Worksheet 3.0	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>
250	Neches-Trinity Coastal Basin	Industrial use	Jefferson County, Texas
NA			
NA			

250 Total amount of water in acre-feet (*include losses for Bed and Banks applications*) to be used within a period of 3 years. (specify term period not to exceed a three year term)

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

a. Location Information Regarding the Lands to be Irrigated

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

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.

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC Section 11.085

1. Interbasin Transfer Request (Instructions, Page 15)

Only interbasin transfers that meet certain criteria for exemption as identified in TWC Section 11.085(v) can be authorized under a temporary water right permit. Submit the information below for an application for a temporary water right which requests to transfer State Water from its river basin of origin for use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC Section 16.051.

- a. Applicant requests to transfer State Water to another river basin within the State? Y / N N

If yes, provide the following information:

- i. Basin of Origin N/A
 - ii. Quantity of water to be transferred (acre-feet) N/A
 - iii. Basin(s) and count(y/ies) where use will occur in the space below:
N/A
- b. 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 N/A
- c. The proposed transfer is from a basin to an adjoining coastal basin? Y/N N/A
- d. 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 TWC 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 N/A

WORKSHEET 2.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This information **is required** for each diversion point or diversion reach. Submit a worksheet for **each** diversion point. For a reach, the worksheet should be submitted twice (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 16)

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

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

b. Maximum Rate of Diversion for **this new point** 7.79803241 cfs (cubic feet per second) or _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? **Y** / **N** Y
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches*
7.79803241 cfs or 3500 gpm

d. Has the applicant received a temporary application from a TCEQ Regional or Watermaster office for this diversion point? **Y**/**N** N

1. If **yes**, provide the date the application was issued N/A and write **Existing** in the table below.
2. If **no**, write **Proposed** in the table below.

e. Select the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
<input checked="" type="checkbox"/>	Directly from stream	Proposed from a future Marine Berth
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

f. Is the diversion from a reservoir? **Y**/**N** N

1. Was it constructed to be an exempt structure under TWC Section 11.142? **Y** / **N** N/A
 - i. If no, has the structure been issued a notice of violation by TCEQ? **Y** / **N** N/A

2. Is the reservoir already authorized under a water right? **Y**/**N** N/A

If yes, provide the following information:

- i. Water Right Number N/A
- ii. If the applicant is not the water right holder, has consent been provided to the applicant by the water right holder pursuant to 30 TAC Section 295.10? **Y**/**N** N/A

g. 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 currently authorized under a water right).

Water intake hoses/structures with mesh strainers would be used to avoid impacts on aquatic organisms.

The mesh would have 0.25-inch spacing, and the speed of intake would be kept low enough to minimize the entrapment of aquatic organisms.

2. Diversion Location (Instructions, Page 17)

- a. On watercourse (USGS name): Sabine Neches Canal
- b. Zip Code: 77640
- c. Location of point: In the P B OCONNER Original Survey No. Cert. 241,
Abstract No. 185, File 61, Jefferson 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 29.791593 °N, Longitude 93.954886 °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): Plant grid coordinates converted to NAD 83 from AutoCAD
- f. Map submitted must clearly identify each diversion point and/or reach. Does the application include required maps? (Instructions, Page 13) Y/N Y

WORKSHEET 2.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This information **is required** for each diversion point or diversion reach. Submit a worksheet for **each** diversion point. For a reach, the worksheet should be submitted twice (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 16)

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. 1 _____

b. Maximum Rate of Diversion for **this new point** 7.79803241 cfs (cubic feet per second) or _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? **Y** / **N** Y
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches*
7.79803241 cfs or 3500 gpm

d. Has the applicant received a temporary application from a TCEQ Regional or Watermaster office for this diversion point? **Y**/**N** N

1. If **yes**, provide the date the application was issued N/A and write **Existing** in the table below.
2. If **no**, write **Proposed** in the table below.

e. Select the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
<input checked="" type="checkbox"/>	Directly from stream	Proposed from a future Marine Berth
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

f. Is the diversion from a reservoir? **Y**/**N** N

1. Was it constructed to be an exempt structure under TWC Section 11.142? **Y** / **N** N/A
 - i. If no, has the structure been issued a notice of violation by TCEQ? **Y** / **N** N/A

2. Is the reservoir already authorized under a water right? **Y**/**N** N/A

If yes, provide the following information:

- i. Water Right Number N/A
- ii. If the applicant is not the water right holder, has consent been provided to the applicant by the water right holder pursuant to 30 TAC Section 295.10? **Y**/**N** N/A

g. 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 currently authorized under a water right).

Water intake hoses/structures with mesh strainers would be used to avoid impacts on aquatic organisms.

The mesh would have 0.25-inch spacing, and the speed of intake would be kept low enough to minimize the entrapment of aquatic organisms.

2. Diversion Location (Instructions, Page 17)

- a. On watercourse (USGS name): Sabine Neches Canal
- b. Zip Code: _____
- c. Location of point: In the P B OCONNER Original Survey No. Cert. 241,
Abstract No. 185, File 61, Jefferson 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 29.791787 °N, Longitude 93.954259 °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): Plant grid coordinates converted to NAD 83 from AutoCAD
- f. Map submitted must clearly identify each diversion point and/or reach. Does the application include required maps? (Instructions, Page 13) Y/N Y

DISCHARGE INFORMATION

This information is required for any requested authorization to use the bed and banks of a State watercourse for conveyance and later withdrawal or in-place use. Worksheet 3.1 is also required for each Discharge point location requested. **Instructions, Page. 18.**

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 _____.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel, or other associated carriage losses _____ (% or amount).
 1. Explain the method of calculation: _____
- c. Is the source of the water being discharged groundwater? Y / N ____ If yes, provide the following information:
 1. Source aquifer(s) from which water will be pumped: _____
 2. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp. Additionally, provide well numbers or identifiers

3. Indicate how the groundwater will be conveyed to the stream or reservoir.
4. Is the groundwater well located in a Groundwater District (GCD)? Y/N ____

If yes, provide 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 ____

If yes, provide the signed contract(s).
- cii. Identify any other source of the water _____

DISCHARGE POINT INFORMATION

This information is required for **each** discharge point. Submit one worksheet 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 19.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____ 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 _____ gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code _____
- e. Location of point: In the _____ Original Survey No. _____
Abstract No. _____, _____ County, Texas.
- f. Point is at:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- g. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): _____
- h. Map submitted must clearly identify each discharge point. Does the application include required maps? (Instructions, Page. 13) Y/N _____

WORKSHEET 4.0

ENVIRONMENTAL INFORMATION

N/A

1. Bed and Banks Applications

This information is required for bed and banks applications. **Instructions, Page 20.**

- a. 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. If groundwater and/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. N/A

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

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

- c. If ground water will be used, provide depth of the well N/A and the name of the aquifer from which water is withdrawn N/A.

ACCOUNTING PLAN INFORMATION

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. **Instructions, Page 20.**

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 with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and

2. Accounting Plan Requirements

- a. A **text file** that includes:
 1. an introduction explaining the temporary water use permit authorizations;
 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 diversion from an existing water right location with 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, if applicable;
 2. Method for accounting for inflows if needed;
 3. Reporting of all water use;
 4. An accounting for all sources of water;
 5. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
 6. Accounting for conveyance losses.

WORKSHEET 6.0

CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page 21.**

	Description	Amount (\$)
Filing Fee	10 acre-feet or less	\$100.00
	OR	
	Greater than 10 acre-feet	\$250.00
Use Fee	Multiply \$1.00 x <u>250</u> acre-feet of water (or fraction thereof)	250
Recording Fee		\$20.00
Mailed Notice	Additional notice fee to be determined once application is submitted.	\$1.88
TOTAL INCLUDED		\$521.88



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

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

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

Section 1. Preliminary Screening

- ☒ New Permit or Registration Application
☐ New Activity - modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

- ☐ Requires public notice,
☐ Considered to have significant public interest, and
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.
Stop after Section 2 and submit the form.**

- ☒ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

Section 3. Application Information

Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire
☐ Radioactive Material Licensing ☐ Underground Injection Control

Water Quality

- ☐ Texas Pollutant Discharge Elimination System (TPDES)
 - ☐ Texas Land Application Permit (TLAP)
 - ☐ State Only Concentrated Animal Feeding Operation (CAFO)
 - ☐ Water Treatment Plant Residuals Disposal Permit
- ☐ Class B Biosolids Land Application Permit
- ☐ Domestic Septage Land Application Registration

Water Rights New Permit

- ☐ New Appropriation of Water
- ☐ New or existing reservoir

Amendment to an Existing Water Right

- ☐ Add a New Appropriation of Water
- ☐ Add a New or Existing Reservoir
- ☐ Major Amendment that could affect other water rights or the environment

Section 4. Plain Language Summary

Provide a brief description of planned activities.

Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☐

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)





Water Permit Coordinates Intake Reach			
Point #1	29.791593 N	93.954886 W	
Point #2	29.791787 N	93.954259 W	

**BECHTEL ENERGY INC.
(the "Corporation")
CERTIFICATE OF SECRETARY**

I, Eldyne S. Perrou, DO HEREBY CERTIFY that:

1. I am the duly elected and qualified Secretary of Bechtel Energy Inc., a corporation formed and existing under and by virtue of the laws of the State of Delaware, USA.
2. I FURTHER CERTIFY that Kane Michael McIntosh was elected as a Principal Vice President of the Corporation on April 28, 2022, by resolutions adopted by the Board of Directors of the Corporation, and he continues to hold the title of Principal Vice President as of the date of this certificate. As such, he is an "Authorized Signatory Officer" as defined in the below resolutions and is therefore authorized to sign documents on behalf of the Corporation.
3. I FURTHER CERTIFY that the below resolutions are full, true and accurate copies of resolutions adopted by the Board of Directors of the Corporation on April 28, 2009, and that said resolutions have not been amended or rescinded as of the date of this certificate.

Authorized Signatory Officers

WHEREAS, in accordance with the by-laws of the Corporation, the Board finds that it is in the best interest of the Corporation to empower certain officers of the Corporation with standing general authority to execute contracts and other documents on behalf of the Corporation;

NOW, THEREFORE, BE IT RESOLVED, that the President of the Corporation and each duly elected and serving Senior Vice President, Principal Vice President, and Vice President of the Corporation (each an "Authorized Signatory Officer") is hereby authorized to execute and deliver, on behalf of the Corporation, any and all contracts, agreements, instruments, and documents in the name of the Corporation, and any amendments, supplements, and revocations thereof, including but not limited to contracts for engineering, procurement, construction, or related services, corporate guarantees, joint venture or partnership agreements, teaming agreements and protocols, nondisclosure agreements, proposals, memoranda of understanding, letters of intent, agreements concerning intellectual property, agreements concerning employment and labor relations, agreements concerning the lease or use of real or personal property, agreements with affiliates of the Corporation, contract amendments and change orders, subcontracts and purchase orders, General and Special Powers of Attorney, deeds, bonds, notices, letters, acknowledgments, affidavits, certifications, applications, government filings, tax

returns, assignments, consents, waivers, documents concerning claims and litigation, settlements, and releases.

Omnibus Resolutions

BE IT RESOLVED that the term "Authorized Signatory Officer" as used in the foregoing resolution has the meaning defined in the foregoing resolution on Authorized Signatory Officers.

RESOLVED FURTHER, that the authorities granted in the foregoing resolutions shall remain in effect unless and until revoked or modified.

RESOLVED FURTHER, that the foregoing resolutions supersede all prior resolutions of this Board concerning the subject matter thereof.

RESOLVED FURTHER, that all of the acts and transactions of the officers of the Corporation that have been taken or made consistently with the foregoing resolutions prior to the date hereof be, and they hereby are, ratified, approved and confirmed as the acts and deeds of the Corporation.

WITNESS my hand this 25th day of July 2023.

City/County of Fairfax
Commonwealth of Virginia
The foregoing instrument was acknowledged before me
this 25th day of July, 2023
by Eldyne S. Perrou
[Signature] Notary Public
Reg. # 7279802 Com Exp 7/31/2025

[Signature]
Eldyne S. Perrou
Secretary



Caroline Bernadette Johnson
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7279802
My Commission Expires
7/31/2025



Port Arthur LNG

Jim Thompson
Manager, Permitting & Compliance
1500 Post Oak Blvd., Suite 1000
Houston, TX 77056
832-460-6594

June 22, 2023

Mr. Karim Assaf
Environmental Manager
BECHTEL ENERGY, Inc
3000 Post Oak Boulevard
Houston, TX, 77056

**RE: Port Arthur Common Facilities Company, LLC
Access Rights for Water Withdrawal**

Dear Karim,

On behalf of Port Arthur Common Facilities Company, LLC (PCFC), the undersigned authorizes Bechtel representatives' access to its property located at 3570 South Gulfway Dr., Port Arthur, Texas, 77640, for the purposes of water uptake in the course of construction of the PALNG Liquefaction Project.

Please contact me at (832) 284-5685 if you have any questions related to this authorization. Thank you for your attention to these matters.

Respectfully submitted,

Jim Thompson
Manager, Permitting & Compliance

cc: Karim El Kheishy (PALNG)
Kane McIntosh (BEC)



JCTC 20060154 - ALM

CORRECTION SPECIAL WARRANTY DEED

DATE: October 6, 2006

GRANTOR: PEC Minerals LP, a Texas limited partnership, formerly known as Sempra Energy Production Company, a California corporation ("Grantor")

GRANTOR'S MAILING ADDRESS: 101 Ash Street PZ17B
(including county) San Diego, California 92101-3711
(San Diego County)

GRANTEE: Port Arthur LNG Holdings, LLC,
a Delaware limited liability company ("Grantee")

GRANTEE'S MAILING ADDRESS: 101 Ash Street HQ14A
(including county) San Diego, California 92101-3017
(San Diego County)

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

PROPERTY:

That certain real property comprising 2,839.369 acres, more or less, located in Jefferson County, Texas and more particularly described in Exhibit A attached hereto and incorporated herein by this reference for all purposes (the "Land"), together with (a) any and all structures, fixtures, and improvements situated in, on or under the Land (collectively, the "Improvements"); and (b) all of Grantor's rights, titles and interest in and to the following: (i) all oil, gas and other minerals in, on, under or that may be produced from the Land, (ii) all strips and gores between the Land and abutting properties, (iii) all rights, titles and interests in and to any portions of the Land which as of the date hereof are submerged lands, tidelands or lands comprising the shores or beds of navigable waters or beyond the lines of bulkhead lines, (iv) all rights in and to easements, air rights, development rights, zoning approvals and permits, water rights, sewer rights and drainage rights incidental to the such Land including, without limitation, all of the water and sanitary sewer discharge treatment capacity allocated to the Land or owned and held by Grantor for the use and benefit thereof and all zoning and development approvals or rights in respect thereto, (v) any and all reversionary interests in and to, and all of Grantor's rights to use, any of the foregoing (collectively, the "Rights and Appurtenances"); and (vi) any and all of Grantor's rights, titles and interests in and to

any and all other real property conveyed to Grantor and described in that certain deed recorded in Volume 1591, Page 468 of Deed Records in Jefferson County, Texas (the "Prior Deed"), or to which Grantor may be entitled under or pursuant to, or by virtue of, the Prior Deed. The Land, the Improvements and the Rights and Appurtenances are referred to herein collectively as the "Property".

CONVEYANCE AND WARRANTY:

GRANTOR, for the consideration stated above, the receipt and sufficiency of which are hereby acknowledged, and subject to the reservations and exceptions set out in the paragraphs below, hereby grants, sells and conveys the Property to GRANTEE.

TO HAVE AND TO HOLD the Property, together with all and singular any other rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, FOREVER; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Land 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.

The interest of Grantor hereby granted, sold and conveyed expressly includes (and Grantor hereby waives and disclaims) (1) any and all interest of Grantor in and to any and all oil, gas, minerals and other hydrocarbon substances located in, on or under the Property, (2) any and all rights of Grantor to store, place, locate or situate oil, mineral, gas and/or other hydrocarbon substances below the surface of the Property, (3) any and all rights of Grantor to mine for, excavate, extract or remove oil, gas, minerals and/or other hydrocarbon substances in, on, under or from the Property, and (4) any and all rights of Grantor to conduct any activities on or below the surface of the Property.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

The interest of Grantor hereby granted, sold and conveyed is expressly made subject to all easements, leases, reservations and other matters of record affecting the Property, including but not limited to, the matters set forth in Exhibit B attached hereto and incorporated herein by this reference, to the extent, but no further, the same are valid and subsisting as of the date hereof and actually affect title to the Land.

CORRECTION OF DEED

This Special Warranty Deed is executed and recorded to correct the legal description and the Reservations and Exceptions to Conveyance and Warranty and is to be effective from the same date as the Special Warranty Deed dated April 28, 2006, from Sempra Energy Production Company to Port Arthur LNG Holdings, LLC and recorded under Clerk's File No. 2006017390, in the Official Public Records of Real Property in the office of the County Clerk of Jefferson County, Texas. In all other respects the prior instrument is confirmed.

[Signature appears on following page.]

IN WITNESS WHEREOF, Grantor hereby executes this Special Warranty Deed as of the date first above written.

GRANTOR

PEC MINERALS LP,
a Texas limited partnership,
formerly known as SEMPRA ENERGY PRODUCTION COMPANY,
a California corporation

By: Michael Allen
Name: Michael Allen
Title: Manager

GRANTEE

PORT ARTHUR LNG HOLDINGS, LLC,
a Delaware limited liability company

By: Sempra LNG,
a Delaware corporation

By: _____
Name: _____
Title: _____

[The remainder of this page left deliberately blank.]

IN WITNESS WHEREOF, Grantor hereby executes this Special Warranty Deed as of the date first above written.

GRANTOR

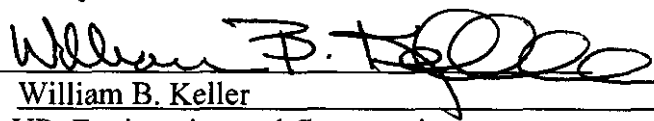
PEC MINERALS LP,
a Texas limited partnership,
formerly known as SEMPRA ENERGY PRODUCTION COMPANY,
a California corporation

By: _____
Name: _____
Title: _____

GRANTEE

PORT ARTHUR LNG HOLDINGS, LLC,
a Delaware limited liability company

By: Sempra LNG,
a Delaware corporation

By: 
Name: William B. Keller
Title: VP- Engineering and Construction

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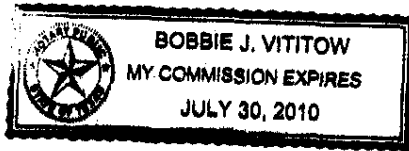
STATE OF TEXAS

§
§
§

COUNTY OF Dallas

BEFORE ME, the undersigned, a Notary Public on this day personally appeared Michael Allen, known to me (or proved to me on the oath of Manager), to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said PEC Minerals LP, a Texas limited partnership, and that he had executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS 14th DAY OF October, 2006.



Bobbie J. Vititow
Notary Public, State of Texas
Bobbie J. Vititow
Notary's Printed Name

My Commission Expires: July 30, 2010

STATE OF CALIFORNIA

§
§
§

COUNTY OF SAN DIEGO

On _____, 2006, before me, _____, personally appeared _____, personally known to me (or 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.

WITNESS my hand and official seal.

Notary Public, State of California

Notary's Printed Name

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF _____

§
§
§

BEFORE ME, the undersigned, a Notary Public on this day personally appeared _____, known to me (or proved to me on the oath of _____), to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said PEC Minerals LP, a Texas limited partnership, and that he had executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS ____ DAY OF _____, 2006.

Notary Public, State of Texas

Notary's Printed Name

My Commission Expires: _____

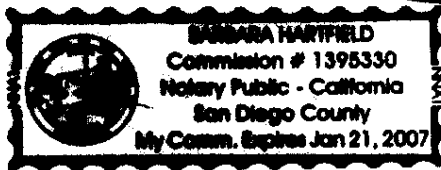
STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

§
§
§

On Sept. 28th, 2006, before me, BARBARA HARTFIELD, Notary, personally appeared William B. Keller, personally known to me (or 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.

WITNESS my hand and official seal.



Notary Public, State of California

Notary's Printed Name

My Commission Expires: JAN. 21, 2007

After Recording, Return to:

Sempra Energy
101 Ash Street HQ12
San Diego, California 92101
Attention: Marie E. Lewis, Esq.

EXHIBIT A

November 11, 2003

Revised March 13, 2006

Revised August 28, 2006

Surveyor's Field Note Description: 2838.798 Acres of Land (Grid)
2839.369 Acres of Land (Surface)

BEING a 2838.798 acre tract of land (Grid) 2839.369 *acre tract of land (Surface)* described in Seventeen (17) tracts and being out of and a part of those certain tracts of land deeded to The McFaddin Trust, more fully described as the First Tract (2470.7 acres), Second Tract (1064.85 acres), Sixth Tract (640 acres), Seventh Tract (640 acres), Eighteenth Tract (333 acres), Twenty-fourth (580.19 acres), Twenty-fifth (320 acres), One Hundred Fourth Tract (154.84 acres) and One Hundred Sixteenth Tract (684 acres) as recorded in Volume 284, Page 41 of the Deed Records of Jefferson County, Texas and out of and a part of that certain Sempra Energy Production Company tract of land, more fully described as Tracts 27, 28 and 29 recorded in Volume 1591, Page 468 of said Deed Records. Said 2838.798 acre tract of land (Grid) 2839.369 *acre tract of land (Surface)* being out of and a part of the Pedro de la Garza Survey, Abstract No. 438, the I. D. Polk Survey, Abstract No. 770, the T. & N. O. RR. Survey, Section No. 305, Abstract No. 331, the John Wescott Survey, Abstract No. 780, the M. Broussard Survey, Section No. 124, Abstract No. 488, the P. B. O'Conner Survey, Abstract No. 185, the T. & N. O. RR. Survey, Section No. 123, Abstract No. 251, the John Bennett Survey, Abstract No. 71, the N. Coleman Survey, Abstract No. 12, the John Wescott Survey, Section No. 280, Abstract No. 726, the T. & N. O. RR. Survey, Section No. 281, Abstract No. 319 and the J. E. Sparks Survey, Section No. 282, Abstract No. 654, Jefferson County, Texas and being more particularly described as follows:

TRACT 1 – 1140.606 Acre Tract (Grid) 1140.837 Acre Tract (Surface)

COMMENCING at a concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of that certain Premcor Refining Group, Inc. called 120.517 acre tract of land, more fully described as Tract 9 recorded in Clerk's File No. 9505598 of the Official Public Records of said Jefferson County and the M. Broussard Survey, Section No. 122, Abstract No. 486 and being in the West line of that certain Benwine Investments, Inc. called 8.3035 acre tract of land, more fully described and recorded in Clerk's File No. 2000000811 of said Official Public Records and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 87 deg. 02 min. 32 sec. West along and with the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 124, a distance of 356.82 feet to a

5/8 inch iron rod with cap stamped "WORTECH" set in the Southwest line of State Highway No. 87 (public right-of-way) and being at the PLACE OF BEGINNING of the herein described TRACT 1;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 21 deg. 40 min. 58 sec. East, a distance of 251.55 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;

South 27 deg. 53 min. 15 sec. East, a distance of 299.79 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;

South 23 deg. 40 min. 58 sec. East, a distance of 442.70 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;

South 21 deg. 43 min. 52 sec. East, a distance of 2905.27 feet to 1 inch iron pipe with cap stamped "WORTECH" set;

South 21 deg. 32 min. 31 sec. East, a distance of 339.69 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;

South 23 deg. 49 min. 57 sec. East, a distance of 500.40 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;

South 21 deg. 32 min. 31 sec. East, a distance of 2968.65 feet to a concrete GSU monument found at the Northeast corner of that certain Gulf States Utilities Company called 0.222 acre tract of land, more fully described and recorded in Volume 809, Page 443 of said Deed Records;

THENCE South 53 deg. 35 min. 38 sec. West along and with the North line of said 0.222 acre tract and the most Northerly North line of that certain Texas Parks and Wildlife Department called 5.344 acre tract of land, more fully described and recorded in Film Code No. 102-31-1501 of said Official Public Records, a distance of 305.21 feet to a concrete monument with disc stamped "T. P. & W." found at the most Northerly Northwest corner of said 5.344 acre tract;

THENCE South 36 deg. 25 min. 08 sec. East along and with the most Northerly West line of said 5.344 acre tract, a distance of 251.01 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set at an Ell corner of said 5.344 acre tract;

THENCE South 53 deg. 33 min. 23 sec. West along and with the most Westerly North line of said 5.344 acre tract, a distance of 3221.96 feet to a point at the most Westerly Northwest corner of said 5.344 acre tract and being in the North line of that certain J. W. Gates called 4.7 acre tract of land, more fully described and recorded in Volume 101, Page 345 of said Deed Records, from which a 1 inch iron pipe set inside a 3 inch iron pipe found for reference bears South 22 deg. 17 min. 27 sec. East a distance of 51.58 feet;

THENCE South 53 deg. 31 min. 23 sec. West along and with the North line of said 4.7 acre tract, a distance of 1717.76 feet to a 3 inch iron pipe with disc stamped "C. A. Kohler" found at the Southeast corner of that certain Texas Parks and Wildlife Department called 1323.84 acre tract of land, more fully described as Tract A recorded in Volume 2409, Page 429 of said Deed Records;

THENCE North 21 deg. 07 min. 15 sec. West along and with the most Southerly East line of said 1323.84 acre tract, a distance of 4111.64 feet to a 1 inch iron pipe found;

THENCE North 21 deg. 41 min. 56 sec. West continuing along and with the most Southerly East line of said 1323.84 acre tract, a distance of 5398.13 feet to a 3 inch iron pipe with disc stamped "C. A. Kohler" found at an Ell corner of said 1323.84 acre tract;

THENCE South 68 deg. 21 min. 13 sec. West along and with the most Easterly North line of said 1323.84 acre tract, a distance of 2634.34 feet to a 3 inch iron pipe with disc stamped "C. A. Kohler" found at the beginning of a non-tangent curve to the left;

THENCE in a Southwesterly direction continuing along and with the most Easterly North line of said 1323.84 acre tract and said curve to the left, having a radius of 4123.49 feet, a central angle of 34 deg. 49 min. 09 sec., a long chord that bears South 50 deg. 56 min. 42 sec. West a distance of 2467.49 feet and an arc distance of 2505.88 feet to a 3 inch iron pipe filled with concrete found at an Ell corner of said 1323.84 acre tract;

THENCE North 56 deg. 21 min. 47 sec. West along and with an East line of said 1323.84 acre tract, at a distance of 1142.19 feet pass a 1 inch iron pipe with cap stamped "WORTECH" set and continue on a total distance of 1450.00 feet to a point at a Northeast corner of said 1323.84 acre tract and being in the South line of that certain United States of America called 37.3 acre tract of land, more fully described and recorded in Volume 330, Page 132 of said Deed Records and being at the beginning of a non-tangent curve to the right;

THENCE in a Northeasterly direction along and with the South line of said 37.3 acre tract and said curve to the right, having a radius of 5573.49 feet, a central angle of 34 deg. 47 min. 34 sec., a long chord that bears North 50 deg. 57 min. 30 sec. East a distance of 3332.73 feet and an arc distance of 3384.49 feet to a point at the end of said curve;

THENCE North 68 deg. 21 min. 13 sec. East continuing along and with the South line of said 37.3 acre tract, a distance of 2602.67 feet to a point at the Southwest corner of said 120.517 acre tract and being in the South line of said Broussard Survey, Section No. 122, same being the North line of said Eighteenth Tract (333 acres) and said Broussard Survey, Section No. 124;

THENCE North 87 deg. 02 min. 32 sec. East along and with the North line of said Eighteenth Tract (333 acres) and said Broussard Survey, Section No. 124 and said Twenty-fifth (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 122, at a distance of 1083.82 feet pass a 5/8 inch iron rod with cap stamped "WORTECH" set and continue on a total distance of 5214.76 feet to the PLACE OF BEGINNING, containing 1261.280 acres of land (Grid) *1261.535 acres of land (Surface)*, more or less, SAVE & EXCEPT that certain Texas Parks and Wildlife Department 120.674 acre tract (called 120.757 acres) of land (Grid) *120.698 acre tract of land (Surface)*, more fully described and recorded in Film Code No. 102-31-1501 of said Official Public Records and being more particularly described as follows;

COMMENCING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast

corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 16 deg. 13 min. 58 sec. East, a distance of 7891.25 feet to a concrete monument with disc stamped "T. P. & W. No. 111" found at the PLACE OF BEGINNING of the herein described SAVE & EXCEPT tract;

THENCE in a circular pattern along and with the lines of said 120.757 acre tract the following courses and distances:

South 23 deg. 07 min. 55 sec. East, a distance of 67.83 feet to a point;
South 79 deg. 40 min. 16 sec. West, a distance of 54.31 feet to a point;
South 79 deg. 32 min. 55 sec. West, a distance of 171.16 feet to a point;
South 04 deg. 58 min. 04 sec. East, a distance of 88.52 feet to a point;
South 60 deg. 10 min. 57 sec. West, a distance of 147.57 feet to a point;
South 51 deg. 13 min. 05 sec. West, a distance of 56.70 feet to a point;
South 67 deg. 11 min. 40 sec. West, a distance of 80.62 feet to a point;
North 89 deg. 48 min. 06 sec. West, a distance of 93.82 feet to a point;
South 74 deg. 51 min. 58 sec. West, a distance of 81.21 feet to a point;
South 60 deg. 52 min. 35 sec. West, a distance of 185.56 feet to a point;
South 59 deg. 28 min. 24 sec. West, a distance of 338.09 feet to a point;
South 86 deg. 05 min. 32 sec. West, a distance of 90.20 feet to a point;
North 73 deg. 56 min. 44 sec. West, a distance of 70.54 feet to a point;
North 67 deg. 32 min. 23 sec. West, a distance of 157.92 feet to a point;
North 82 deg. 24 min. 00 sec. West, a distance of 179.63 feet to a point;
North 76 deg. 24 min. 40 sec. West, a distance of 288.18 feet to a point;
North 56 deg. 08 min. 41 sec. West, a distance of 170.95 feet to a point;
North 38 deg. 50 min. 45 sec. West, a distance of 118.39 feet to a concrete monument with disc stamped "T. P. & W. No. 93" found;
North 47 deg. 54 min. 08 sec. West, a distance of 89.52 feet to a point;
North 36 deg. 59 min. 15 sec. West, a distance of 158.48 feet to a point;
North 33 deg. 54 min. 46 sec. West, a distance of 192.35 feet to a point;
North 24 deg. 06 min. 55 sec. West, a distance of 52.30 feet to a point;
North 18 deg. 58 min. 29 sec. West, a distance of 224.53 feet to a point;
North 27 deg. 54 min. 59 sec. West, a distance of 149.47 feet to a point;
North 19 deg. 06 min. 07 sec. West, a distance of 181.36 feet to a point;
North 11 deg. 19 min. 15 sec. West, a distance of 163.75 feet to a point;
North 01 deg. 56 min. 25 sec. West, a distance of 167.32 feet to a point;
North 13 deg. 46 min. 38 sec. West, a distance of 330.88 feet to a point;
North 14 deg. 06 min. 15 sec. East, a distance of 273.65 feet to a concrete monument with disc stamped "T. P. & W. No. 82" found;
North 37 deg. 55 min. 38 sec. East, a distance of 162.87 feet to a point;
North 49 deg. 46 min. 24 sec. East, a distance of 386.74 feet to a point;
North 65 deg. 21 min. 23 sec. East, a distance of 144.75 feet to a point;

North 71 deg. 55 min. 00 sec. East, a distance of 397.27 feet to a point;
North 63 deg. 25 min. 27 sec. East, a distance of 347.41 feet to a point;
North 84 deg. 58 min. 25 sec. East, a distance of 66.44 feet to a point;
South 68 deg. 25 min. 17 sec. East, a distance of 94.90 feet to a point;
South 45 deg. 20 min. 34 sec. East, a distance of 476.70 feet to a concrete monument with disc stamped "T. P. & W. No. 74" found;
South 33 deg. 46 min. 16 sec. East, a distance of 566.27 feet to a point;
South 26 deg. 37 min. 43 sec. East, a distance of 764.31 feet to a point;
South 20 deg. 38 min. 54 sec. East, a distance of 523.17 feet to a point;
South 06 deg. 13 min. 23 sec. East, a distance of 273.78 feet to the PLACE OF BEGINNING, containing 120.674 acres of land, more or less, leaving a net acreage for TRACT 1 being 1140.606 acres of land (Grid) 1140.837 acres of land (Surface), more or less.

TRACT 2 N – 624.700 Acre Tract (Grid) 624.826 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 19 deg. 40 min. 11 sec. East, a distance of 7907.28 feet to a concrete monument with cap stamped "T. P. & W." found at the Southeast corner of said 5.344 acre tract and being in the Southwest line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 2 N;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 21 deg. 32 min. 31 sec. East, a distance of 1922.39 feet to a 1 inch iron pipe found;
South 21 deg. 38 min. 24 sec. East, a distance of 2579.32 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 21 deg. 43 min. 24 sec. East, a distance of 2182.44 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set at the beginning of a non-tangent curve to the left;
Southeasterly along and with said curve to the left, having a radius of 2934.79 feet, a central angle of 23 deg. 13 min. 08 sec., a long chord that bears South 33 deg. 24 min. 55 sec. East a distance of 1181.19 feet and an arc distance of 1189.31 feet to a concrete ROW monument found;
South 44 deg. 09 min. 20 sec. East, a distance of 269.09 feet to a 5/8 inch iron rod with cap stamped "WORTECH" found at the North corner of that certain Jefferson County of Texas called 110.418 acres (grid) 110.442 acres (surface) tract of land, more fully described and recorded in Clerk's File No. 2004017255 of said Official Public Records;

THENCE South 52 deg. 15 min. 04 sec. West along and with the Northwest line of said 110.418 acre tract (grid), a distance of 3462.98 feet to a 5/8 inch iron rod with cap stamped

“WORTECH” found at the West corner of said 110.418 acre tract (grid) and being in the Northeast line of that certain Texas Parks & Wildlife Department called 2105.69 acre tract of land, more fully described as Tract B recorded in Volume 2409, Page 429 of said Deed Records;

THENCE in a Northwesterly direction along and with the Northeast line of said 2105.69 acre tract the following courses and distances:

North 55 deg. 43 min. 11 sec. West, a distance of 258.91 feet to a 1-1/2 inch iron pipe found;

North 44 deg. 59 min. 56 sec. West, a distance of 279.19 feet to a 1 inch iron pipe found;

North 22 deg. 43 min. 13 sec. West, a distance of 2499.84 feet to a 1 inch iron pipe with cap stamped “WORTECH” set;

North 22 deg. 17 min. 27 sec. West, a distance of 5196.06 feet to 1 inch iron pipe set inside a 3 inch iron pipe found at the most Northerly Northeast corner of said 2105.69 acre tract, same being the Southwest corner of said 5.344 acre tract;

THENCE North 53 deg. 33 min. 23 sec. East along and with the South line of said 5.344 acre tract, a distance of 3459.84 feet to the PLACE OF BEGINNING, containing 624.700 acres of land (Grid) *624.826 acres of land (Surface)*, more or less.

TRACT 2 S – 142.821 Acre Tract (Grid) 142.850 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 24 deg. 37 min. 23 sec. East, a distance of 17,462.75 feet to a 5/8 inch iron rod found at the Southeast corner of that certain Texas Parks & Wildlife Department called 12.60 acre tract of land, more fully described and recorded in Clerk’s File No. 1999014390 of said Official Public Records and being in the Southwest line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 2 S;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 46 deg. 44 min. 35 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;

South 44 deg. 35 min. 10 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;

South 42 deg. 25 min. 44 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;

South 40 deg. 16 min. 18 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;

South 38 deg. 06 min. 52 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap

stamped "WORTECH" set;
South 35 deg. 57 min. 27 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 33 deg. 47 min. 59 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 31 deg. 38 min. 35 sec. East, a distance of 84.04 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 27 deg. 33 min. 21 sec. East, a distance of 960.85 feet to a 1 inch iron pipe with cap stamped "WORTECH" set at the beginning of a curve to the right;
Southeasterly along and with said curve to the right, having a radius of 2829.45 feet, a central angle of 10 deg. 15 min. 15 sec., a long chord that bears South 22 deg. 25 min. 43 sec. East a distance of 505.71 feet and an arc distance of 506.39 feet to a 1 inch iron pipe with cap stamped "WORTECH" set in the East line of said First Tract (2470.7 acres) and said Pedro de la Garza Survey, same being the West line of that certain C. Doornbos called 1103.5 acre tract of land, more fully described as Division A recorded in Volume 437, Page 613 and Volume 439, Page 147 of said Deed Records and the Dennis Gohagen Survey, Abstract No. 123;

THENCE South 02 deg. 23 min. 27 sec. East along and with the East line of said 2470.7 acre tract and said Pedro de la Garza Survey, same being the West line of said 1103.5 acre tract and said Gohagen Survey, a distance of 2380.62 feet to a 3 inch iron pipe with disc stamped "C. A. Kohler No. 645" found at the most Easterly Northeast corner of that certain Texas Parks and Wildlife Department called 2105.69 acres of land, more fully described as Tract B recorded in said Volume 2409, Page 429;

THENCE in a Northwesterly direction along and with the Northeast line of said 2105.69 acre tract the following courses and distances:

North 74 deg. 52 min. 43 sec. West, a distance of 239.30 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 23 deg. 57 min. 03 sec. West, a distance of 352.61 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 65 deg. 39 min. 12 sec. West, a distance of 247.49 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 29 deg. 37 min. 56 sec. West, a distance of 785.69 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 28 deg. 09 min. 21 sec. West, a distance of 832.15 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
South 40 deg. 14 min. 27 sec. West, a distance of 226.71 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 73 deg. 36 min. 31 sec. West, a distance of 727.45 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 73 deg. 17 min. 19 sec. West, a distance of 664.65 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 72 deg. 59 min. 11 sec. West, a distance of 729.64 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 73 deg. 09 min. 25 sec. West, a distance of 38.00 feet to a 5/8 inch iron rod with

cap stamped "WORTECH" found at the South corner of said 110.418 acre tract (grid);

THENCE North 52 deg. 32 min. 56 sec. East along and with the most Southerly Southeast line of said 110.418 acre tract (grid), a distance of 2704.20 feet to a 5/8 inch iron rod found at the South corner of said 12.60 acre tract, same being the most Southerly East corner of said 110.418 acre tract (grid);

THENCE North 52 deg. 32 min. 53 sec. East along and with the South line of said 12.60 acre tract, a distance of 364.02 feet to the PLACE OF BEGINNING, containing 142.821 acres of land (Grid) *142.850 acres of land (Surface)*, more or less.

TRACT 3 – 0.347 Acre Tract (Grid) 0.347 Acre Tract (Surface)

BEGINNING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

THENCE South 02 deg. 53 min. 38 sec. East along and with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey, a distance of 241.32 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 30 deg. 19 min. 35 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 271.74 feet to a 1 inch iron pipe with cap stamped "WORTECH" set in the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 122;

THENCE North 87 deg. 02 min. 32 sec. East along and with the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 122, a distance of 125.19 feet to the PLACE OF BEGINNING, containing 0.347 acre of land (Grid) *0.347 acre of land (Surface)*, more or less.

TRACT 4 – 0.008 Acre Tract (Grid) 0.008 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and

X=3,565,680.6840;

Thence South 02 deg. 53 min. 38 sec. East along and with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey, a distance of 407.39 feet to a point in the Northeast line of said State Highway No. 87 and being at the PLACE OF BEGINNING of the herein described TRACT 4;

THENCE South 02 deg. 53 min. 38 sec. East along and with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey, a distance of 59.74 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 43 min. 52 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 36.92 feet to a concrete ROW monument found;

THENCE North 22 deg. 46 min. 53 sec. East continuing along and with the Northeast line of said State Highway No. 87, a distance of 27.51 feet to the PLACE OF BEGINNING, containing 0.008 acre of land (Grid) *0.008 acre of land (Surface)*, more or less.

TRACT 5 – 9.675 Acre Tract (Grid) 9.677 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 17 deg. 17 min. 11 sec. East, a distance of 1946.16 feet to a point at the Southwest corner of that certain Houston Marine Services, Inc. called 6.910 acre tract of land, more fully described and recorded in Film Code No. 102-28-0417 of said Official Public Records and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 5, from which a 1 inch iron pipe found for reference bears North 68 deg. 21 min. 37 sec. East a distance of 0.76 feet;

THENCE North 68 deg. 21 min. 37 sec. East along and with the South line of said 6.910 acre tract, a distance of 188.09 feet to a point on the Southwest bank of the existing Port Arthur Ship Channel;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

- South 11 deg. 09 min. 15 sec. East, a distance of 81.25 feet to a point;
- South 14 deg. 48 min. 33 sec. East, a distance of 141.27 feet to a point;
- South 18 deg. 36 min. 07 sec. East, a distance of 215.83 feet to a point;

South 25 deg. 37 min. 37 sec. East, a distance of 71.04 feet to a point;
South 19 deg. 24 min. 13 sec. East, a distance of 81.06 feet to a point;
South 31 deg. 57 min. 21 sec. East, a distance of 69.42 feet to a point;
South 09 deg. 21 min. 37 sec. East, a distance of 124.26 feet to a point;
South 37 deg. 04 min. 07 sec. East, a distance of 278.90 feet to a point;
South 51 deg. 27 min. 06 sec. East, a distance of 35.86 feet to a point;
South 08 deg. 44 min. 09 sec. West, a distance of 39.20 feet to a point;
South 47 deg. 50 min. 58 sec. West, a distance of 47.53 feet to a point;
North 87 deg. 30 min. 09 sec. West, a distance of 15.76 feet to a point;
South 47 deg. 22 min. 21 sec. West, a distance of 71.25 feet to a point;
South 70 deg. 15 min. 52 sec. West, a distance of 32.91 feet to a point;
North 70 deg. 01 min. 25 sec. West, a distance of 10.78 feet to a point;
South 25 deg. 21 min. 41 sec. East, a distance of 117.90 feet to a point;
South 21 deg. 51 min. 44 sec. East, a distance of 160.97 feet to a point;
South 30 deg. 52 min. 06 sec. East, a distance of 54.11 feet to a point;
South 55 deg. 38 min. 18 sec. East, a distance of 132.01 feet to a point;
North 82 deg. 24 min. 33 sec. East, a distance of 33.42 feet to a point;
North 35 deg. 51 min. 33 sec. East, a distance of 15.27 feet to a point;
South 36 deg. 59 min. 44 sec. East, a distance of 66.81 feet to a point;
South 23 deg. 07 min. 51 sec. East, a distance of 346.82 feet to a point;
South 05 deg. 56 min. 10 sec. West, a distance of 32.19 feet to a point;
South 54 deg. 19 min. 07 sec. West, a distance of 25.36 feet to a point;
South 20 deg. 03 min. 21 sec. East, a distance of 111.80 feet to a point;
South 88 deg. 12 min. 22 sec. East, a distance of 30.93 feet to a point;
South 01 deg. 25 min. 19 sec. West, a distance of 18.36 feet to a point;
South 67 deg. 54 min. 41 sec. West, a distance of 16.26 feet to a point;
South 07 deg. 31 min. 53 sec. West, a distance of 41.23 feet to a point;
South 22 deg. 02 min. 44 sec. East, a distance of 75.65 feet to a point;
South 38 deg. 48 min. 35 sec. East, a distance of 41.24 feet to a point;
North 52 deg. 32 min. 26 sec. East, a distance of 34.36 feet to a point;
South 66 deg. 47 min. 03 sec. East, a distance of 30.12 feet to a point;
South 17 deg. 56 min. 15 sec. East, a distance of 49.63 feet to a point;
South 08 deg. 02 min. 57 sec. West, a distance of 31.10 feet to a point;
South 37 deg. 21 min. 27 sec. East, a distance of 102.91 feet to a point;
South 13 deg. 56 min. 20 sec. East, a distance of 38.86 feet to a point;
North 86 deg. 58 min. 53 sec. West, a distance of 22.42 feet to a point;
South 22 deg. 32 min. 48 sec. East, a distance of 43.78 feet to a point;
South 69 deg. 59 min. 49 sec. East, a distance of 39.78 feet to a point;
South 53 deg. 14 min. 43 sec. East, a distance of 73.16 feet to a point;
South 88 deg. 20 min. 28 sec. East, a distance of 14.77 feet to a point;
South 22 deg. 21 min. 12 sec. East, a distance of 27.00 feet to a point in the North line of that certain Odscoh, Inc. called 2.238 acre tract of land, more fully described and recorded in Film Code No. 102-05-1384 of said Official Pubic Records from which a 5/8 inch iron rod found for reference bears North 68 deg. 20 min. 11 sec. East a distance of 1.84 feet;

THENCE South 68 deg. 20 min. 11 sec. West along and with the North line of said 2.238 acre tract, a distance of 275.70 feet to a point at the Northwest corner of said 2.238 acre tract and being in the Northeast line of said State Highway No. 87 from which a 3/4 inch iron pipe found for reference bears South 68 deg. 20 min. 11 sec. West a distance of 0.14 feet;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 857.54 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;

THENCE North 21 deg. 43 min. 52 sec. West continuing along and with the Northeast line of said State Highway No. 87, a distance of 1842.41 feet to the PLACE OF BEGINNING, containing 9.675 acres of land (Grid) *9.677 acres of land (Surface)*, more or less.

TRACT 6 – 3.561 Acre Tract (Grid) 3.562 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 19 deg. 56 min. 46 sec. East, a distance of 4967.60 feet to a 1 inch iron pipe found at the Southwest corner of said 2.238 acre tract and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 6;

THENCE North 68 deg. 21 min. 44 sec. East along and with the South line of said 2.238 acre tract, a distance of 223.58 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel from which a 5/8 inch iron rod found for reference bears South 68 deg. 21 min. 44 sec. West a distance of 4.73 feet;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

- South 00 deg. 04 min. 40 sec. East, a distance of 29.90 feet to a point;
- South 48 deg. 27 min. 15 sec. East, a distance of 61.71 feet to a point;
- South 07 deg. 49 min. 38 sec. East, a distance of 87.41 feet to a point;
- South 21 deg. 26 min. 32 sec. East, a distance of 108.03 feet to a point;
- South 05 deg. 46 min. 10 sec. East, a distance of 38.55 feet to a point;
- South 51 deg. 25 min. 38 sec. West, a distance of 14.00 feet to a point;
- South 04 deg. 21 min. 47 sec. West, a distance of 28.40 feet to a point;
- South 39 deg. 00 min. 04 sec. East, a distance of 76.87 feet to a point;
- South 15 deg. 43 min. 57 sec. East, a distance of 96.57 feet to a point;
- South 15 deg. 28 min. 08 sec. East, a distance of 91.96 feet to a point;
- South 32 deg. 21 min. 49 sec. East, a distance of 44.24 feet to a point;
- South 09 deg. 08 min. 04 sec. West, a distance of 42.49 feet to a point;

South 08 deg. 55 min. 41 sec. East, a distance of 70.42 feet to a point;
South 45 deg. 05 min. 24 sec. West, a distance of 17.70 feet to a point;
South 75 deg. 42 min. 41 sec. West, a distance of 59.43 feet to a point;
South 00 deg. 56 min. 43 sec. East, a distance of 24.96 feet to a point in the North line of that certain Coastal Incineration Corporation tract of land, more fully described and recorded in Film Code No. 101-92-1649 of said Official Public Records;

THENCE South 68 deg. 21 min. 37 sec. West along and with the North line of said Coastal Incineration Corporation tract, a distance of 74.20 feet to a point in the Northeast line of said State Highway No. 87 from which a 1 inch iron pipe found for reference bears North 68 deg. 21 min. 37 sec. East a distance of 0.37 feet;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 774.74 feet to the PLACE OF BEGINNING, containing 3.561 acres of land (Grid) *3.562 acres of land (Surface)*, more or less.

TRACT 7 – 0.313 Acre Tract (Grid) *0.313 Acre Tract (Surface)*

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 16 min. 20 sec. East, a distance of 6242.24 feet to a point at the Southwest corner of said Coastal Incineration Corporation tract and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 7, from which a 5/8 inch iron rod found for reference bears North 68 deg. 21 min. 37 sec. East a distance of 0.76 feet;

THENCE North 68 deg. 21 min. 37 sec. East along and with the South line of said Coastal Incineration Corporation tract, a distance of 91.98 feet to point on the Southwest bank of said existing Port Arthur Ship Channel;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

South 24 deg. 37 min. 29 sec. East, a distance of 62.42 feet to a point;
South 08 deg. 39 min. 16 sec. West, a distance of 189.54 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 225.99 feet to the PLACE OF BEGINNING, containing 0.313 acre of land (Grid) *0.313 acre of land (Surface)*, more or less.

TRACT 8 – 0.376 Acre Tract (Grid) 0.376 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 21 min. 44 sec. East, a distance of 6718.33 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 8;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

- South 49 deg. 55 min. 02 sec. East, a distance of 48.11 feet to a point;
- South 33 deg. 09 min. 21 sec. East, a distance of 188.30 feet to a point;
- South 21 deg. 43 min. 52 sec. East, a distance of 80.55 feet to a point;
- South 12 deg. 02 min. 02 sec. West, a distance of 74.65 feet to a point;
- South 06 deg. 55 min. 35 sec. East, a distance of 78.29 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 445.28 feet to the PLACE OF BEGINNING, containing 0.376 acre of land (Grid) *0.376 acre of land (Surface)*, more or less.

TRACT 9 – 0.099 Acre Tract (Grid) 0.099 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 27 min. 50 sec. East, a distance of 7353.15 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 9;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

- South 36 deg. 47 min. 40 sec. East, a distance of 56.93 feet to a point;
- South 19 deg. 53 min. 23 sec. East, a distance of 519.37 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 574.08 feet to the PLACE OF BEGINNING, containing 0.099 acre of land (Grid) *0.099 acre of land (Surface)*, more or less.

TRACT 10 – 0.128 Acre Tract (Grid) *0.128 Acre Tract (Surface)*

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 37 min. 07 sec. East, a distance of 8583.65 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 10;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

South 34 deg. 53 min. 43 sec. East, a distance of 93.21 feet to a point;

South 26 deg. 44 min. 10 sec. East, a distance of 122.59 feet to a point;

South 00 deg. 50 min. 48 sec. West, a distance of 85.66 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 291.98 feet to the PLACE OF BEGINNING, containing 0.128 acre of land (Grid) *0.128 acre of land (Surface)*, more or less.

TRACT 11 – 0.254 Acre Tract (Grid) *0.254 Acre Tract (Surface)*

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 44 min. 07 sec. East, a distance of 9826.34 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 11;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

South 21 deg. 55 min. 30 sec. East, a distance of 337.03 feet to a point;
South 21 deg. 38 min. 55 sec. East, a distance of 756.04 feet to a point;
South 22 deg. 49 min. 15 sec. East, a distance of 501.99 feet to a point;
South 20 deg. 56 min. 01 sec. East, a distance of 984.23 feet to a point in the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 38 min. 24 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 2579.11 feet to the PLACE OF BEGINNING, containing 0.254 acre of land (Grid) *0.254 acre of land (Surface)*, more or less.

TRACT 12 – 3.519 Acre Tract (Grid) 3.520 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 20 deg. 55 min. 24 sec. East, a distance of 12,405.20 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 12;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

South 22 deg. 34 min. 21 sec. East, a distance of 630.02 feet to a point;
South 21 deg. 13 min. 02 sec. East, a distance of 707.34 feet to a point;
South 21 deg. 35 min. 46 sec. East, a distance of 730.83 feet to a point;
South 23 deg. 45 min. 07 sec. East, a distance of 361.06 feet to a point;
South 62 deg. 44 min. 55 sec. East, a distance of 74.12 feet to a point;
South 46 deg. 23 min. 04 sec. East, a distance of 137.54 feet to a point;
South 53 deg. 16 min. 14 sec. East, a distance of 109.09 feet to a point;
South 39 deg. 23 min. 54 sec. East, a distance of 109.68 feet to a point;
South 61 deg. 08 min. 05 sec. East, a distance of 76.81 feet to a point;
North 13 deg. 04 min. 49 sec. East, a distance of 33.45 feet to a point;
South 80 deg. 52 min. 43 sec. East, a distance of 25.21 feet to a point;
South 36 deg. 52 min. 11 sec. East, a distance of 139.80 feet to a point;
South 24 deg. 51 min. 19 sec. East, a distance of 57.24 feet to a point;
North 51 deg. 36 min. 35 sec. West, a distance of 34.90 feet to a point;
South 60 deg. 23 min. 10 sec. West, a distance of 38.60 feet to a point;
South 30 deg. 15 min. 47 sec. East, a distance of 290.23 feet to a point;
South 15 deg. 45 min. 09 sec. East, a distance of 118.11 feet to a point;
South 37 deg. 33 min. 18 sec. East, a distance of 73.89 feet to a point;
South 89 deg. 36 min. 50 sec. East, a distance of 97.73 feet to a point;
South 71 deg. 11 min. 30 sec. East, a distance of 41.90 feet to a point;

South 43 deg. 20 min. 10 sec. East, a distance of 16.31 feet to a point;
South 07 deg. 45 min. 02 sec. East, a distance of 54.62 feet to a point;
South 47 deg. 41 min. 50 sec. East, a distance of 534.52 feet to a point in the Northeast line of said State Highway No. 87;

THENCE in a Northwesterly direction along and with the Northeast line of said State Highway No. 87 the following courses and distances:

North 52 deg. 13 min. 26 sec. West, a distance of 579.60 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set at the beginning of a curve to the right;
Northwesterly along and with said curve to the right, having a radius of 2814.79 feet, a central angle of 30 deg. 27 min. 00 sec., a long chord that bears North 37 deg. 01 min. 51 sec. West a distance of 1478.39 feet, and an arc distance of 1495.93 feet to a point at the end of said curve;
North 21 deg. 43 min. 24 sec. West, a distance of 2182.18 feet to the PLACE OF BEGINNING, containing 3.519 acres of land (Grid) *3.520 acres of land (Surface)*, more or less.

TRACT 13 – 3.990 Acre Tract (Grid) *3.991 Acre Tract (Surface)*

COMMENCING at said concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 25 deg. 32 min. 59 sec. East, a distance of 18,237.87 feet to a point at the South corner of that certain United States of America tract of land, more fully described as Parcel 8 recorded in Volume 549, Page 14 of said Deed Records and being in the Northeast line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 13, from which a 5/8 inch iron rod with cap stamped "WORTECH" set bears North 27 deg. 33 min. 21 sec. West, a distance of 93.30 feet;

THENCE North 62 deg. 26 min. 39 sec. East along and with the Southeast line of said Parcel 8, a distance of 93.00 feet to a point at the East corner of said Parcel 8;

THENCE North 27 deg. 33 min. 21 sec. West along and with the Northeast line of said Parcel 8, a distance of 92.94 feet to a point on the Southwest bank of said existing Port Arthur Ship Channel;

THENCE in a Southeasterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

South 79 deg. 46 min. 52 sec. East, a distance of 152.97 feet to a point;
South 62 deg. 28 min. 15 sec. East, a distance of 123.60 feet to a point;
South 20 deg. 26 min. 16 sec. East, a distance of 85.38 feet to a point;

South 46 deg. 20 min. 08 sec. East, a distance of 80.29 feet to a point;
South 11 deg. 15 min. 02 sec. East, a distance of 29.68 feet to a point;
South 37 deg. 15 min. 51 sec. West, a distance of 69.42 feet to a point;
South 10 deg. 44 min. 28 sec. West, a distance of 116.19 feet to a point;
South 20 deg. 12 min. 23 sec. East, a distance of 62.49 feet to a point;
South 29 deg. 46 min. 20 sec. East, a distance of 66.29 feet to a point;
South 51 deg. 27 min. 38 sec. East, a distance of 44.91 feet to a point;
South 32 deg. 32 min. 19 sec. East, a distance of 33.77 feet to a point in the East line of said First Tract (2470.7 acres) and said Pedro de la Garza Survey, same being the West line of 1103.5 acre tract and said Gohagen Survey from which a concrete monument with disc stamped "G-89" found bears North 02 deg. 23 min. 34 sec. West a distance of 18.80 feet;

THENCE South 02 deg. 23 min. 34 sec. East along and with the East line of said First Tract (2470.7 acres) and said Pedro de la Garza Survey, same being the West line of 1103.5 acre tract and said Gohagen Survey, a distance of 415.99 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set in a non-tangent curve to the left in the Northeast line of said State Highway No. 87;

THENCE in a Northwesterly direction along and with the Northeast line of said State Highway No. 87 the following courses and distances:

Northwesterly along and with said curve to the left, having a radius of 2949.45 feet, a central angle of 03 deg. 08 min. 17 sec., a long chord that bears North 25 deg. 59 min. 12 sec. West a distance of 161.52 feet and an arc distance of 161.54 feet to a 1 inch iron pipe with cap stamped "WORTECH" set at the end of said curve;
North 27 deg. 33 min. 21 sec. West, a distance of 830.02 feet to the PLACE OF BEGINNING, containing 3.990 acres of land (Grid) *3.991 acres of land (Surface)*, more or less.

TRACT 14 – 44.487 Acre Tract (Grid) 44.496 Acre Tract (Surface)

COMMENCING at a concrete monument found stamped "Gulf Oil Corp." at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of that certain Premcor Refining Group, Inc. called 120.517 acre tract of land, more fully described as Tract 9 recorded in Clerk's File No. 9505598 of the Official Public Records of said Jefferson County and the M. Broussard Survey, Section No. 122, Abstract No. 486 and being in the West line of that certain Benwine Investments, Inc. called 8.3035 acre tract of land, more fully described and recorded in Clerk's File No. 2000000811 of said Official Public Records and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 87 deg. 02 min. 32 sec. West along and with the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 124, a distance of 356.82 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set in the Southwest line of State Highway

No. 87 (public right-of-way) and being at the PLACE OF BEGINNING of the herein described TRACT 1;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 21 deg. 40 min. 58 sec. East, a distance of 251.55 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 27 deg. 53 min. 15 sec. East, a distance of 299.79 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
South 23 deg. 40 min. 58 sec. East, a distance of 442.70 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
South 21 deg. 43 min. 52 sec. East, a distance of 2905.27 feet to 1 inch iron pipe with cap stamped "WORTECH" set;
South 21 deg. 32 min. 31 sec. East, a distance of 339.69 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
South 23 deg. 49 min. 57 sec. East, a distance of 500.40 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 21 deg. 32 min. 31 sec. East, a distance of 2968.65 feet to a concrete GSU monument found at the Northeast corner of that certain Gulf States Utilities Company called 0.222 acre tract of land, more fully described and recorded in Volume 809, Page 443 of said Deed Records;

THENCE North 68 deg. 27 min. 29 sec. East, a distance of 70.00 feet to a point in the centerline of said State Highway No. 87;

THENCE South 21 deg. 32 min. 49 sec. East along and with the centerline of said State Highway No. 87, a distance of 311.29 feet to a point;

THENCE South 68 deg. 27 min. 29 sec. West, a distance of 70.03 feet to a monument with cap stamped "T. P. & W." found at the Southeast corner of said 5.344 acre tract and being in the Southwest line of said State Highway No. 87;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 21 deg. 32 min. 34 sec. East, a distance of 1922.36 feet to a 1 inch iron pipe found;
South 21 deg. 38 min. 22 sec. East, a distance of 2579.36 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set;
South 21 deg. 43 min. 24 sec. East, a distance of 2182.44 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set at the beginning of a non-tangent curve to the left;
Southeasterly along and with said curve to the left, having a radius of 2934.79 feet, a central angle of 23 deg. 13 min. 08 sec., a long chord that bears South 33 deg. 24 min. 55 sec. East a distance of 1181.19 feet and an arc distance of 1189.31 feet to a concrete ROW monument found;
South 44 deg. 09 min. 20 sec. East, a distance of 269.09 feet to a 5/8 inch iron rod with cap stamped "WORTECH" found at the North corner of that certain Jefferson County of Texas called 110.418 acres (grid) 110.442 acres (surface) tract of land, more fully

described and recorded in Clerk's File No. 2004017255 of said Official Public Records;

THENCE North 52 deg. 12 min. 54 sec. East, a distance of 88.52 feet to a point at the beginning of a non-tangent curve to the left in the centerline of said State Highway No. 87;

THENCE in a Southeasterly direction along and with the centerline of said State Highway No. 87 the following courses and distances:

Southeasterly along and with said curve to the left, having a radius of 2864.79 feet, a central angle of 01 deg. 37 min. 04 sec., a long chord that bears South 51 deg. 26 min. 48 sec. East a distance of 80.88 feet and an arc distance of 80.89 feet to a point at the end of said curve;

South 52 deg. 13 min. 26 sec. East continuing along and with the centerline of said State Highway No. 87, a distance of 579.59 feet to a point;

THENCE North 37 deg. 46 min. 34 sec. East, a distance of 50.00 to a point in the Northeast line of said State Highway No. 87;

THENCE in a Northwesterly direction along and with the Northeast line of said State Highway No. 87 the following courses and distances:

North 52 deg. 13 min. 26 sec. West, a distance of 579.60 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set at the beginning of a curve to the right;

Northwesterly along and with said curve to the right, having a radius of 2814.79 feet, a central angle of 30 deg. 27 min. 00 sec., a long chord that bears North 37 deg. 01 min. 51 sec. West a distance of 1478.39 feet, and an arc distance of 1495.93 feet to a point at the end of said curve;

North 21 deg. 43 min. 24 sec. West, a distance of 2182.18 feet to a point;

North 21 deg. 38 min. 24 sec. West, a distance of 2579.11 feet to a point;

North 21 deg. 32 min. 31 sec. West, a distance of 1242.83 feet to a point at its intersection with the Southwest bank of said existing Port Arthur Ship Channel;

THENCE in a Northwesterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

North 34 deg. 53 min. 43 sec. West, a distance of 24.52 feet to a point;

North 25 deg. 38 min. 46 sec. West, a distance of 183.44 feet to a point;

North 05 deg. 15 min. 50 sec. West, a distance of 28.99 feet to a point;

North 21 deg. 45 min. 53 sec. West, a distance of 46.04 feet to a point;

North 19 deg. 53 min. 23 sec. West, a distance of 376.08 feet to a point at its intersection with the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 574.08 feet to a point at its intersection with the Southwest bank of said existing Port Arthur Ship Channel;

THENCE in a Northwesterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

North 33 deg. 55 min. 05 sec. West, a distance of 87.95 feet to a point;

North 12 deg. 11 min. 27 sec. West, a distance of 86.54 feet to a point;
North 06 deg. 55 min. 35 sec. West, a distance of 18.98 feet to a point at its intersection
with the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State
Highway No. 87, a distance of 445.28 feet to a point at its intersection with the Southwest bank
of said existing Port Arthur Ship Channel;

THENCE in a Northwesterly direction along and with Southwest bank of said existing Port
Arthur Ship Channel with its meanders as follows:

North 38 deg. 28 min. 35 sec. West, a distance of 70.37 feet to a point;
North 19 deg. 53 min. 34 sec. West, a distance of 155.43 feet to a point;
North 08 deg. 39 min. 16 sec. East, a distance of 31.86 feet to a point at its intersection
with the Northeast line of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State
Highway No. 87, a distance of 225.99 feet to a point from which a 5/8 inch iron rod found for
reference bears North 68 deg. 21 min. 37 sec. East a distance of 0.76 feet;

THENCE South 68 deg. 21 min. 37 sec. West, a distance of 50.00 feet to a point in the centerline
of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the centerline of said State
Highway No. 87, a distance of 500.30 feet to a point;

THENCE North 68 deg. 21 min. 37 sec. East, a distance of 50.00 feet to a point in the Northeast
line of said State Highway No. 87, from which a 1 inch iron pipe found for reference bears North
68 deg. 21 min. 37 sec. East a distance of 0.37 feet;

THENCE North 21 deg. 32 min. 31 sec. West along and with the Northeast line of said State
Highway No. 87, a distance of 774.74 feet to a 1 inch iron pipe found at the Southwest corner of
said 2.238 acre tract;

THENCE South 68 deg. 21 min. 44 sec. West, a distance of 50.00 feet to a point in the centerline
of said State Highway No. 87;

THENCE North 21 deg. 32 min. 31 sec. West along and with the centerline of said State
Highway No. 87, a distance of 324.92 feet to a point;

THENCE North 68 deg. 20 min. 11 sec. East, a distance of 50.00 feet to a point at the Northwest
corner of said 2.238 acre tract and being in the Northeast line of said State Highway No. 87,
from which a 3/4 inch iron pipe found for reference bears North 68 deg. 20 min. 11 sec. West a
distance of 0.14 feet;

THENCE in a Northwesterly direction along and with the Northeast line of said State Highway
No. 87 the following courses and distances:

North 21 deg. 32 min. 31 sec. West, a distance of 857.54 feet to a 1 inch iron pipe with cap stamped "WORTECH" set;
North 21 deg. 43 min. 52 sec. West, a distance of 1842.41 feet to point at the Southwest corner of said 6.910 acre tract, from which a 1 inch iron pipe found for reference bears North 68 deg. 21 min. 37 sec. East a distance of 0.76 feet;

THENCE South 68 deg. 21 min. 37 sec. West, a distance of 50.00 feet to a point in the centerline of said State Highway No. 87;

THENCE North 21 deg. 43 min. 52 sec. West along and with the centerline of said State Highway No. 87, a distance of 1498.12 feet to a point;

THENCE North 68 deg. 16 min. 07 sec. East, a distance of 50.00 feet to a point at the intersection of the Northeast line of said State Highway No. 87 with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey;

THENCE North 21 deg. 43 min. 52 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 36.92 feet to a concrete ROW monument found;

THENCE North 22 deg. 46 min. 53 sec. East continuing along and with the Northeast line of said State Highway No. 87, a distance of 27.51 feet to a point at the intersection of the Northeast line of said State Highway No. 87 with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey;

THENCE South 68 deg. 16 min. 07 sec. West, a distance of 69.29 feet to a point in the centerline of said State Highway No. 87;

THENCE North 21 deg. 43 min. 52 sec. West along and with the centerline of said State Highway No. 87, a distance of 157.17 feet to a point;

THENCE North 68 deg. 16 min. 07 sec. East, a distance of 122.91 feet to a point at the intersection of the Northeast line of said State Highway No. 87 with the East line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the West line of said 8.3035 acre tract and said Bennett Survey;

THENCE North 30 deg. 19 min. 35 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 271.74 feet to a 1 inch iron pipe with cap stamped "WORTECH" set in the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 122;

THENCE South 87 deg. 02 min. 32 sec. West along and with the North line of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the South line of said 120.517 acre tract and said Broussard Survey, Section No. 122, a distance of 231.63 feet to

the PLACE OF BEGINNING, containing 44.487 acres of land (Grid) 44.496 acres of land (Surface), more or less.

TRACT 15 – 5.005 Acre Tract (Grid) 5.006 Acre Tract (Surface)

COMMENCING at said concrete monument found stamped “Gulf Oil Corp.” at the Northeast corner of said Twenty-fifth Tract (320 acres) and said T. & N. O. RR. Survey, Section No. 123, same being the Southeast corner of said 120.517 acre tract and said Broussard Survey, Section No. 122 and being in the West line of said 8.3035 acre tract and said Bennett Survey. Said concrete monument has a Texas State Plane Coordinate of Y=13,879,643.6820 and X=3,565,680.6840;

Thence South 24 deg. 37 min. 23 sec. East, a distance of 17,462.75 feet to a 5/8 inch iron rod found at the Southeast corner of that certain Texas Parks & Wildlife Department called 12.60 acre tract of land, more fully described and recorded in Clerk’s File No. 1999014390 of said Official Public Records and being in the Southwest line of said State Highway No. 87 and at the PLACE OF BEGINNING of the herein described TRACT 2 S;

THENCE in a Southeasterly direction along and with the Southwest line of said State Highway No. 87 the following courses and distances:

South 46 deg. 44 min. 35 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 44 deg. 35 min. 10 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 42 deg. 25 min. 44 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 40 deg. 16 min. 18 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 38 deg. 06 min. 52 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 35 deg. 57 min. 27 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 33 deg. 47 min. 59 sec. East, a distance of 84.03 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 31 deg. 38 min. 35 sec. East, a distance of 84.04 feet to a 5/8 inch iron rod with cap stamped “WORTECH” set;
South 27 deg. 33 min. 21 sec. East, a distance of 960.85 feet to a 1 inch iron pipe with cap stamped “WORTECH” set at the beginning of a curve to the right;
Southeasterly along and with said curve to the right, having a radius of 2829.45 feet, a central angle of 10 deg. 15 min. 15 sec., a long chord that bears South 22 deg. 25 min. 43 sec. East a distance of 505.71 feet and an arc distance of 506.39 feet to a 1 inch iron pipe with cap stamped “WORTECH” set in the East line of said First Tract (2470.7 acres) and said Pedro de la Garza Survey, same being the West line of that certain C. Doornbos called 1103.5 acre tract of land, more fully described as Division A recorded in Volume 437, Page 613 and Volume 439, Page 147 of said Deed Records and the Dennis Gohagen

Survey, Abstract No. 123;

THENCE North 02 deg. 23 min. 34 sec. West along and with the East line of said 2470.7 acre tract and said Pedro de la Garza Survey, same being the West line of said 1103.5 acre tract and said Gohagen Survey, a distance of 378.11 feet to a 5/8 inch iron rod with cap stamped "WORTECH" set in a non-tangent curve to the left in the Northeast line of said State Highway No. 87;

THENCE in a Northwesterly direction along and with the Northeast line of said State Highway No. 87 the following courses and distances:

Northwesterly along and with said curve to the left, having a radius of 2949.45 feet, a central angle of 03 deg. 08 min. 17 sec., a long chord that bears North 25 deg. 59 min. 12 sec. West a distance of 161.52 feet and an arc distance of 161.54 feet to a 1 inch iron pipe with cap stamped "WORTECH" set at the end of said curve;

North 27 deg. 33 min. 21 sec. West along and with the Northeast line of said State Highway No. 87, a distance of 830.02 feet to a point at the South corner of that certain United States of America tract of land, more fully described as Parcel 8 recorded in Volume 549, Page 14 of said Deed Records, from which a 5/8 inch iron rod with cap stamped "WORTECH" set bears North 27 deg. 33 min. 21 sec. West, a distance of 93.30 feet;

THENCE South 62 deg. 26 min. 39 sec. West, a distance of 50.00 feet to a point in the centerline of said State Highway No. 87;

THENCE North 27 deg. 33 min. 21 sec. West along and with the centerline of said State Highway No. 87, a distance of 93.30 feet to a point at the beginning of a curve to the left;

THENCE in a Northwesterly direction along and with the centerline of said State Highway No. 87 and said curve to the left, having a radius of 2296.83 feet, a central angle of 01 deg. 48 min. 40 sec., a long chord that bears North 28 deg. 27 min. 41 sec. West a distance of 72.59 feet and an arc distance of 72.60 feet to a point at the end of said curve;

THENCE North 62 deg. 26 min. 39 sec. East, a distance of 50.02 feet to a point at the intersection of the West line of said United States of America (Parcel 8), same being the Northeast right-of-way line of said State Highway No. 87 with the Southwest bank of said existing Port Arthur Ship Channel;

THENCE in a Northwesterly direction along and with Southwest bank of said existing Port Arthur Ship Channel with its meanders as follows:

North 79 deg. 46 min. 52 sec. West, a distance of 26.91 feet to a point;
North 35 deg. 49 min. 43 sec. West, a distance of 36.56 feet to a point;
North 15 deg. 12 min. 10 sec. West, a distance of 33.37 feet to a point;
North 37 deg. 27 min. 00 sec. West, a distance of 380.76 feet to a point;
North 42 deg. 41 min. 04 sec. West, a distance of 112.98 feet to a point;
North 85 deg. 45 min. 25 sec. West, a distance of 40.73 feet to a point;
North 46 deg. 43 min. 29 sec. West, a distance of 48.29 feet to a point;

THENCE South 52 deg. 32 min. 53 sec. West, a distance of 90.55 feet to the PLACE OF BEGINNING, containing 5.005 acres of land (Grid) *5.006 acres of land (Surface)*, more or less.

TRACT 16 – 858.909 Acre Tract (Grid) 859.079 Acre Tract (Surface)

BEGINNING at a 4 inch iron pipe found at an Angle corner in the East line of said Sempra tract and Sparks Survey, same being an Angle corner in the West line of that certain Clark Refining and Marketing, Inc. tract of land, more fully described as Tract 7 recorded in Clerks File No. 9505598 of the Official Public Records of said Jefferson County and West line of the John Wescott Survey, Section No. 2, Abstract No. 725 (also known as Franklin Baker Survey No. 2). Said 4 inch pipe has a U.S. State Plane Coordinate of Y=13,884,661.294 feet and X=3,557,098.378 feet;

THENCE South 02 deg. 55 min. 41 sec. East along and with the East line of said Sempra tract and Sparks Survey, same being the West line of said Clark Refining tract (Tract 7) and Wescott Survey, Abstract No. 725, a distance of 2009.05 feet to a 3/4 inch iron rod found at the Southwest corner of said Clark Refining tract (Tract 7) and Wescott Survey, Abstract No. 725, same being the Northwest corner of the I. D. Polk Survey, Section No. 1, Abstract No. 770 and being in the North line of that certain Jefferson County Waterway and Navigation District called 186.885 acre tract of land, more fully described and recorded in Clerks File No. 20051438 of said Official Public Records;

THENCE South 87 deg. 06 min. 12 sec. West along and with the North line of said 186.885 acre tract, a distance of 127.24 feet to a point for corner on the existing East bank of that certain Jefferson County Drainage District No. 7 called 280 feet wide easement (Outfall Canal), more fully described as Tract 1 recorded in Volume 668, Page 634 of said Deed Records;

THENCE in a Southerly direction along and with the existing East bank of said Outfall Canal with its meanders as follows:

- South 22 deg. 22 min. 41 sec. West, a distance of 56.62 feet;
- South 00 deg. 29 min. 18 sec. West, a distance of 266.97 feet;
- South 07 deg. 01 min. 24 sec. East, a distance of 69.02 feet;
- South 09 deg. 29 min. 01 sec. West, a distance of 121.90 feet;
- South 11 deg. 18 min. 35 sec. West, a distance of 86.77 feet;
- South 01 deg. 18 min. 57 sec. East, a distance of 42.87 feet to a point for corner in the most Southerly South line of said Sempra tract and the South line of said Sparks Survey, same being the North line of T. & N. O. RR. Survey, Section No. 305, Abstract No. 331, from which a 5/8 inch iron rod found with cap stamped "WORTECH SURVEYORS" at the Southeast corner of said Sparks Survey, same being the most Northerly Southwest corner of said Polk Survey bears North 87 deg. 07 min. 29 sec. East, a distance of 211.18 feet;

THENCE South 87 deg. 07 min. 29 sec. West along and with the most Southerly South line of said Sempra tract and the South line of said Sparks Survey, same being the North line of said

Section No. 305, a distance of 328.66 feet to a point for corner in the recognized East line of that certain State of Texas called 4500 acre tract of land, more fully described and recorded in Volume 1168, Page 444 of said Deed Records, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS SL SEC. 282" set for reference bears South 87 deg. 07 min. 29 sec. West, a distance of 271.34 feet;

THENCE North 00 deg. 34 min. 42 sec. East along and with a recognized East line of said 4500 acre tract, a distance of 214.18 feet to a point for corner at a Northeast corner of said 4500 acre tract, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS PL SEC. 282" set for reference bears South 87 deg. 27 min. 32 sec. West, a distance of 271.34 feet;

THENCE South 87 deg. 27 min. 32 sec. West along and with a recognized North line of said 4500 acre tract, a distance of 1625.06 feet to a 2 inch iron pipe found for corner at a Ell corner of said 4500 acre tract;

THENCE North 02 deg. 07 min. 29 sec. West along and with a recognized East line of said 4500 acre tract, a distance of 1414.45 feet to a 2 inch iron pipe found for corner at a Northeast corner of said 4500 acre tract;

THENCE South 87 deg. 28 min. 21 sec. West along and with a recognized North line of said 4500 acre tract, a distance of 5265.67 feet to a 2 inch iron pipe found for corner at a Northwest corner of said 4500 acre tract, same being in the recognized East line of that certain J. B. Paulus Subdivision recorded in Volume 3, Page 183 of the Map Records of Jefferson County;

THENCE North 02 deg. 21 min. 01 sec. West along and with the recognized East line of said Paulus Subdivision, the East line of that certain R.A. Shmit Subdivision recorded in Volume 69, Page 20 of said Deed Records and the East line of that certain Charles A. Howell and David L. Broadus called 40 acre tract of land, more fully described and recorded in Volume 639, Page 16 and Volume 638, Page 229 of said Deed Records, a distance of 4668.64 feet to a point for corner in the South line of that certain Clark Refining and Marketing, Inc. tract of land, more fully described as Tract 8 recorded in said Clerks File No. 9505598, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS PL SEC. 280" set for reference bears South 02 deg. 21 min. 01 sec. East, a distance of 600.00 feet and another 2 inch iron pipe with cap stamped "WORTECH SURVEYORS 1" set for reference bears North 89 deg. 16 min. 48 sec. East, a distance of 156.36 feet;

THENCE North 89 deg. 16 min. 48 sec. East along and with the North line of said Sempra tract, same being the South line of said Clark Refining tract (Tract 8), a distance of 7895.05 feet to a point for corner at the Northeast corner of said Sempra tract, same being the Southeast corner of said Clark Refining tract (Tract 8) and being in the East line of said Sparks Survey, same being the West line of said Clark Refining tract (Tract 7) and Wescott Survey, Abstract No. 725, from which a 4 inch iron pipe found (leaning) for reference bears South 89 deg. 16 min. 48 sec. West, a distance of 52.37 feet;

THENCE South 06 deg. 04 min. 48 sec. West along and with the East line of said Sempra tract and Sparks Survey, same being the West line of said Clark Refining tract (Tract 7) and Wescott

Survey, Abstract No. 725, a distance of 3441.30 feet to the PLACE OF BEGINNING, containing 861.567 acres of land (Grid) *861.738 acres of land (Surface)*, more or less, more or less, SAVE & EXCEPT that certain Jefferson County Drainage District No. 6 called 2.658 acre tract of land (Grid) *2.659 acre tract of land (Surface)*, more fully described and recorded in Film Code No. 100-61-1019 of said Official Public Records and being more particularly described as follows;

COMMENCING at the said 4 inch iron pipe found at an Angle corner in the East line of said Tracts 27, 28, and 29 and J. E. Sparks Survey, same being an Angle corner in the West line of said Tract 7 and the John Wescott Survey, Abstract No. 725 (also known as Franklin Baker Survey No. 2). Said 4 inch pipe has a U.S. State Plane Coordinate of Y=13,884,661.294 feet and X=3,557,098.378 feet;

Thence North 71 deg. 12 min. 40 sec. West, a distance of 7099.92 feet to the PLACE OF BEGINNING of the herein described tract of land and being in the Southwest line of that certain Jefferson County Drainage District No. 6, called 116.30 acre tract (Diversion Channel), more fully described as Tract No. 4 recorded in Volume 2397, Page 196 of said Deed Records, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS 1" set for reference on the North line of said Sempra tract, same being the South line of said Tract 8 bears North 32 deg. 08 min. 13 sec. West, a distance of 1225.73 feet;

THENCE South 58 deg. 06 min. 46 sec. East, along and with the Northeast line of said 2.63 acre tract, same being the Southwest line of said 116.30 acre tract, a distance of 710.01 feet to a point for corner;

THENCE South 87 deg. 40 min. 34 sec. West, along and with the South line of said 2.63 acre tract, a distance of 485.56 feet to a point for corner;

THENCE North 44 deg. 25 min. 24 sec. West, along and with the Southwest line of said 2.63 acre tract, a distance of 196.77 feet to a point for corner;

THENCE North 04 deg. 30 min. 14 sec. East, along and with the West line of said 2.63 acre tract, a distance of 255.01 feet to the PLACE OF BEGINNING, containing 2.658 acres of land (Grid) *2.659 acres of land (Surface)*, more or less.

TRACT 16A – 86.330 Acre Tract (Grid) *86.347 Acre Tract (Surface)*
Encroachment Area – Not included in total acreage on this survey

BEING an 86.330 acre tract of land (Grid) *86.347 acres of land (Surface)* out of and a part of that certain Sempra Energy Production Company tract of land, more fully described as Tracts 27, 28 and 29 recorded in Volume 1591, Page 468 of the Deed Records of Jefferson County, Texas. Said 86.330 acre tract of land being situated in the John Wescott Survey, Section No. 280, Abstract No. 726, the T. & N. O. RR. Survey, Section No. 281, Abstract No. 319 and the J. E.

Sparks Survey, Section No. 282, Abstract No. 654, Jefferson County, Texas and being more particularly described as follows:

COMMENCING at a 4 inch iron pipe found at an Angle corner in the East line of said Sempra tract and Sparks Survey, same being an Angle corner in the West line of that certain Clark Refining and Marketing, Inc. tract of land, more fully described as Tract 7 recorded in Clerks File No. 9505598 of the Official Public Records of said Jefferson County and the West line of the John Wescott Survey, Section No. 2, Abstract No. 725 (also known as the Franklin Baker Survey No. 2). Said 4 inch pipe has a U.S. State Plane Coordinate of Y=13,884,661.294 feet and X=3,557,098.378 feet;

Thence South 02 deg. 55 min. 41 sec. East along and with the East line of said Sempra tract and Sparks Survey, same being the West line of said Clark Refining tract (Tract 7) and Wescott Survey, Abstract No. 725, a distance of 2641.73 feet to a 5/8 inch iron rod with cap stamped "WORTECH SURVEYORS" found at the Southeast corner of said Sempra tract and Sparks Survey, same being the most Northerly Southwest corner of the I. D. Polk Survey, Section No. 1, Abstract No. 770 and being in the North line of the T. & N. O. RR. Survey, Section No. 305, Abstract No. 331;

Thence South 87 deg. 07 min. 29 sec. West along and with the most Southerly South line of said Sempra tract and the South line of said Sparks Survey, same being the North line of said Section No. 305, a distance of 539.84 feet to a point for corner in the recognized East line of that certain State of Texas called 4500 acre tract of land, more fully described and recorded in Volume 1168, Page 444 of said Deed Records, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS SL SEC. 282" set for reference bears South 87 deg. 07 min. 29 sec. West, a distance of 271.34 feet and being at the PLACE OF BEGINNING of the tract of land herein described;

THENCE South 87 deg. 07 min. 29 sec. West continuing along and with the most Southerly South line of said Sempra tract and the South line of said Sparks Survey, same being the North line of said Section No. 305, a distance of 1900.63 feet to a point for corner at the most Southerly Southwest corner of said Sempra tract and Southwest corner of said Sparks Survey, same being the most Easterly Northwest corner of said Section No. 305 and being in the East line of said Section No. 281, from which a 2 inch iron pipe found bears North 49 deg. 23 min. 19 sec. East, a distance of 364.80 feet;

THENCE North 02 deg. 42 min. 47 sec. West along and with the most Easterly West line of said Sempra tract and the West line of said Sparks Survey, same being the East line of said Section No. 281, a distance of 1389.89 feet to a point for corner at an Ell corner of said Sempra tract, from which a 2 inch iron pipe found bears North 47 deg. 52 min. 00 sec. East, a distance of 391.44 feet;

THENCE South 87 deg. 10 min. 52 sec. West along and with the most Westerly South line of said Sempra tract and the South line of said Wescott Survey, Abstract No. 726, same being the most Northerly North line of T. & N. O. RR. Survey, Section No. 303, Abstract No. 330, a distance of 5277.49 feet to a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS

SWC SEC. 280" set for corner at the most Westerly Southwest corner of said Sempra tract and the Southwest corner of said Wescott Survey, Abstract No. 726, same being the most Northerly Northwest corner of said Section No. 303 and being in the East line of the R. A. Shmit Survey, Abstract No. 774, from which a 2 inch iron pipe found bears North 46 deg. 03 min. 31 sec. East, a distance of 417.81 feet;

THENCE North 02 deg. 42 min. 32 sec. West along and with the most Westerly West line of said Sempra tract and the West line of said Wescott Survey, Abstract No. 726, same being the East line of said Shmit Survey and the T. & N. O. RR. Survey, Section No. 279, Abstract No. 318, a distance of 4955.85 feet to a point for corner at the Northwest corner of said Sempra tract, same being the Southwest corner of that certain Clark Refining and Marketing, Inc. tract of land, more fully described as Tract 8 recorded in said Clerks File No. 9505598, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS WL SEC. 280" set for reference bears South 02 deg. 42 min. 32 sec. East, a distance of 500.00 feet and another 2 inch iron pipe with cap stamped "WORTECH SURVEYORS 1" set for reference bears North 89 deg. 16 min. 48 sec. East, a distance of 500.00 feet;

THENCE North 89 deg. 16 min. 48 sec. East along and with the North line of said Sempra tract, same being the South line of said Clark Refining tract (Tract 8), a distance of 343.64 feet to a point for corner in the recognized East line of that certain Charles A. Howell and David L. Broadus called 40 acre tract of land, more fully described and recorded in Volume 639, Page 16 and Volume 638, Page 229 of said Deed Records, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS PL SEC. 280" set for reference bears South 02 deg. 21 min. 01 sec. East, a distance of 600.00 feet and another 2 inch iron pipe with cap stamped "WORTECH SURVEYORS 1" set for reference bears North 89 deg. 16 min. 48 sec. East, a distance of 156.36 feet;

THENCE South 02 deg. 21 min. 01 sec. East along and with the recognized East line of said Howell and Broadus 40 acre tract, the East line of that certain R.A. Shmit Subdivision recorded in Volume 69, Page 20 of said Deed Records and the East line of that certain J. B. Paulus Subdivision recorded in Volume 3, Page 183 of the Map Records of Jefferson County, a distance of 4668.64 feet to a 2 inch iron pipe found at a Northwest corner of said 4500 acre tract;

THENCE North 87 deg. 28 min. 21 sec. East along and with a recognized North line of said 4500 acre tract, a distance of 5265.67 feet to a 2 inch iron pipe found for corner at a Northeast corner of said 4500 acre tract;

THENCE South 02 deg. 07 min. 29 sec. East along and with a recognized East line of said 4500 acre tract, a distance of 1414.45 feet to a 2 inch iron pipe found for corner at an Ell corner of said 4500 acre tract;

THENCE North 87 deg. 27 min. 32 sec. East along and with a recognized North line of said 4500 acre tract, a distance of 1625.06 feet to a point for corner at a Northeast corner of said 4500 acre tract, from which a 2 inch iron pipe with cap stamped "WORTECH SURVEYORS PL SEC. 282" set for reference bears South 87 deg. 27 min. 32 sec. West, a distance of 271.34 feet;

THENCE South 00 deg. 34 min. 42 sec. West along and with a recognized East line of said 4500

acre tract, a distance of 214.18 feet to the PLACE OF BEGINNING, containing 86.330 acres of land (Grid) 86.347 acres of land (Surface), more or less.

(All the horizontal control is referenced to the Texas State Plane Coordinate System, Lambert Projection, North American Datum of 1983 (NAD83), South Central Zone. All bearings, distances and acreages are grid. The theta convergence factor for the concrete monument stamped "Gulf Oil Corp." found at the Northeast corner T. & N.O. RR. Survey, Section No. 123 for Tracts 1 through 15 in this survey is 02 deg. 28 min. 06 sec. and the grid scale factor is 0.99989878. The theta convergence factor for the 4 inch iron pipe found at the point of beginning of Tract 16 in this survey is 02 deg. 27 min. 20 sec. and the grid scale factor is 0.99990099. To obtain surface acres divide the grid acres by the scale factor squared.)

EXHIBIT B

PERMITTED EXCEPTIONS

The matters set forth in the attached pages.

- a. Subject to the terms, conditions and stipulations of any unrecorded lease agreements, if any, and rights of tenants in possession, if any.

As to Road Easements affecting said tracts:

- b. Easement for highway purposes, dated 10/8/1932, executed by The McFaddin Trust to State of Texas, of record in Volume 370, Page 586, Deed Records of Jefferson County, Texas. (Affects Tract Nos. 1,2-N and 2-S.)
- c. Easement for highway purposes, dated 12/11/1953, executed by The McFaddin Trust to State of Texas, of record in Volume 950, Page 403, Deed Records of Jefferson County, Texas. (Affects Tract Nos. 2-N and 2-S.)
- d. Easement for highway purposes, dated 12/21/1962, executed by Cee-Cross Company, et al to State of Texas, of record in Volume 1347, Page 100 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-S)
- e. Easement for highway purposes, dated 12/21/1962, executed by Cee-Cross Company, et al to State of Texas, of record in Volume 1347, Page 102 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-S)
- f. Easement for highway purposes, dated 12/21/1962, executed by Cee-Cross Company, et al to State of Texas, of record in Volume 1347, Page 105 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-S)
- g. Easement for highway purposes, dated 6/24/1966, executed by Bar-C Ranch Company, et al to State of Texas, of record in Volume 1476, Page 476 Deed Records of Jefferson County, Texas. (Affects Tract No. 1)
- h. Easement for highway purposes, dated 6/24/1966, executed by Bar-C Ranch Company, et al to State of Texas, of record in Volume 1476, Page 468 Deed Records of Jefferson County, Texas. (Affects Tract No. 1)
- i. Easement for oil field road purposes, excluded from Partial Release dated 6/21/1969, executed by Shell Oil Company to Mamie McFaddin Ward, et al of record in Volume 1613, Page 199 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-N)
- j. Easement for road purposes, dated 4/19/1978, executed by Sabine Production Company to Texas Eastern Transmission Co., of record in Volume 2078, Page 326 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-N)
- k. Easement for road purposes, dated 7/7/1982, executed by Sabine Production Company to Jefferson County Drainage District No. 6, 50' wide of record in Volume 2397, Page 238 Deed Records of Jefferson County, Texas. (Affects Tract No. 2-N)
- l. Easement for boat access to Round Lake purposes through two canals, dated 6/27/1988, executed by Sabine Corporation to Texas Parks & Wildlife Department, of record under Film Code No. 102-31-1497, Deed Records of Jefferson County, Texas. (Affects Tract No. 1)

As to Utility Easements affecting said tracts:

- m. Easement for utility purposes, dated 8/24/1936, executed by The McFaddin Trust to Gulf States Utilities Company, of record in Volume 446, Page 537, Deed Records of Jefferson County, Texas.
- n. Easement for utility purposes, dated 5/4/1942, executed by The McFaddin Trust to Gulf States Utilities Company, of record in Volume 510, Page 193, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S)
- o. Easement for utility purposes, dated 4/14/1961, executed by Mamie McFaddin Ward, et al to Gulf States Utilities Company, of record in Volume 1263, Page 65, Deed Records of Jefferson County, Texas.(Affects Tract No. 2-S)
- p. Easement for utility purposes, dated 4/8/1927, executed by W.P.H. McFaddin to Southwestern Bell Telephone Company, of record in Volume 283, Page 524, Deed Records of Jefferson County, Texas.(Affects Tract Nos.1, 2-N and 2-S)
- q. Easement for utility purposes, dated 8/24/1936, executed by The McFaddin Trust to Southwestern Bell Telephone Company, of record in Volume 446, Page 537, Deed Records of Jefferson County, Texas.(Affects Tract No. 2-N)
- r. Easement for utility purposes, dated 11/19/1976, executed by Sabine Production Company to Southwestern Bell Telephone Company, of record in Volume 1985, Page 234, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S)
- s. Easement for waterline purposes, condemned by USA from The McFaddin Trust by Judgment dated 10/14/1942, of record in Volume 520, Page 225 and Volume 549, Page 14, Deed Records of Jefferson County, Texas. (Affects Tract Nos. 1, 2-N and 2-S) located along the east side of State Hwy 87.
- t. Easement for utility purposes, dated 06/23/2005, executed by Sempra energy Production Company to Entergy Gulf States, Inc., of record under Instrument Number 2005026806, Official Public Records of Real Property in the office of the county clerk of Jefferson County, Texas.(Affects Tract Nos. 2-S, 13, and 15)

As to Pipeline Easements affecting said tracts:

- u. Easement for pipeline purposes, dated 7/7/1976, executed by Dalco Oil Company (30" wide) to Natural Gas Pipeline Company of America, of record in Volume 1946, Page 199, Deed Records of Jefferson County, Texas.(Affects Tract No. 1)
- v. Easement for pipeline purposes, dated 11/14/1977, executed by Sabine Production Company (50' wide) to Texas Eastern Transmission Company, of record in Volume 2050, Page 241, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S)
- w. Easement for pipeline purposes, dated 1/11/1982, executed by Sabine Production Company to Texas Eastern Transmission Company, of record in Volume 2364, Page 186, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 2-N and 2-S)
- x. Easement for pipeline purposes, dated 3/21/1979, executed by Sabine Production Company to Tejas Gas Company (30' wide) of record in Volume 2146, Page 204, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S)
- y. Easement for pipeline purposes, dated 4/10/1981, executed by Sabine Production Company to Seagull Petrochemical Pipeline Corp., (10' wide) of record in Volume 2315, Page 161, Deed Records of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S)

- z. Easement for pipeline purposes, dated 10/21/2002, executed by Sempra Energy Production Company to Manta Ray Gathering Company, LLC, of record under County Clerk's File No. 2002042815, Official Public Records of Real Property of Jefferson County, Texas.(Affects Tract Nos. 1, 2-N and 2-S) **NOTE:** 25 year term, plus 25 year renewal term upon payment of \$50,000.00.
- aa. Easement for pipeline purposes, dated 4/28/2003, executed by Sempra Energy Production Company to Manta Ray Gathering Company, LLC, of record under County Clerk's File No. 2003017973, Official Public Records of Real Property of Jefferson County, Texas.(Affects Tract Nos. 1 and 2-N)

As to Spoil Deposit Easements affecting said tracts:

- bb. Easement for excavation of Intracoastal Waterway and Spoil Deposit purposes dated 10/3/1928 executed by The McFaddin Trust to USA, of record in Volume 330, Page 132, Deed Records of Jefferson County, Texas.(Affects Tract No. 1)
- cc. Easement for Spoil Deposit purposes dated 2/29/1960 executed by J.L.C. McFaddin, et al to USA, of record in Volume 1230, Page 67, Deed Records of Jefferson County, Texas. **NOTE:** Grantors reserved the right to terminate all or part of said easements at time after the expiration of three years, upon 90 days written notice.(S D Tract No. 4 affects Tract Nos. 2-N and 2-S; S D Tract No. S D 5 affects Tract No. 1)
- dd. Easement for Channel and Waterway improvement purposes dated 7/7/1982 executed by Sabine Production Company to Jefferson County Drainage District No. 6, of record in Volume 2397, Page 196, Deed Records of Jefferson County, Texas.(Affects Tract No. 1)
- ee. Easement for deposit of spoil adjacent to Outfall Canal dated 10/16/1947, executed by Jefferson County Drainage District No. 7, of record in Volume 679, Page 338, Deed Records of Jefferson County, Texas.

As to Oil, Gas and other Minerals:

- ff. The oil, gas and other minerals excepted from conveyance as being outstanding in Grantor's predecessors in title in the deed dated 4/29/1969 from Mamie McFaddin Ward, et al to Planet Oil and Mineral Corporation and Horizon Sales Corporation, of record in Volume 1591, Page 468, Deed Records of Jefferson County, Texas.
- gg. The oil, gas and other minerals excepted from conveyance and reserved unto Grantors in the deed dated 4/29/1969 from Mamie McFaddin Ward, et al to Planet Oil and Mineral Corporation and Horizon Sales Corporation, of record in Volume 1591, Page 468, Deed Records of Jefferson County, Texas.
- hh. Undivided 1/2 of Grantor's interests in mineral leasehold estates reserved by Grantors in General Conveyance, Assignment and Transfer dated 4/29/1969, from Mamie McFaddin Ward, et al to Planet Oil and Mineral Corporation and Horizon Sales Corporation, of record in Volume 1591, Page 443, Deed Records of Jefferson County, Texas.
- ii. All of the grantor's oil, gas and other mineral royalties in and under and that may be produced from the lands described in the Mineral Deed dated 10/5/1982 from Sabine Production Company to Sabine Corporation, of record in Volume 2420, Page 2, Deed Records of Jefferson County, Texas.(Affects all surveys included in subject site)
- jj. Any and all valid and subsisting oil, gas and mineral leases, assignments, working interests, overriding royalty interests, joint operating agreements, unit designations or other regulatory approvals affecting all or any portions of the herein described property.

As to other Exceptions:

- kk. Any and all easements, encroachments, conflicts, protrusions, overlapping improvements shown on Survey Plat prepared by WORTECH Land Surveyors, Inc., dated 1/7/2006 and revised 08/28/2006.(4 pages)
- ll. "Conflict Area" shown on Tract 4, Sheet 2 of 4 of Survey Plat prepared by WORTECH Land Surveyors, Inc., showing Conflict Areas containing 86.330 Acres (Grid) 86.347 Acres (Surface) out of 947.366 acres; Being an area of land between survey patent lines and apparent property lines evidenced by occupation of adjacent property owners or other parties. Company shall not be liable for any loss, costs or damages related to the conflict area and does not insure title to any of said conflict area.
- mm. Boundary Agreement executed by Sabine Corporation and Est. Udo A. Schulz, et al, dated 2/25/1988, of record in FC 102-31-1478, Deed Records.(Affects Tract 2-N)
- nn. Easement for Diversion Channel, dated 7/7/1982, executed by Sabine Corporation to Jefferson County DD6, of record in Volume 2397, Page 196, Deed Records of Jefferson County, Texas.(Affects T N O Sec. 280, 281 and 282)
- oo. Easement for levee dated 7/7/1982, executed by Sabine Corporation to Jefferson County DD6, of record in Volume 2397, Page 208, Deed Records of Jefferson County, Texas.(Affects Tract 1)
- pp. Easement for canals and levees dated 7/20/1915, executed by W.P.H. McFaddin to Beaumont Navigation District, of record in Volume 1560, Page 435, Deed Records of Jefferson County, Texas.(Affects T N O Sections 280, 281 and 282)
- qq. Easement for Outfall Canal, dated 7/11/1947, executed by The McFaddin Trust to Jefferson County DD7 of record in Volume 668, Page 634, Deed Records of Jefferson County, Texas.(Affects Sec. T N O 282)

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Carolyn L. Guidry

2006 Oct 12 10:08 AM

2006040325

JAMES \$154.00

CAROLYN L. GUIDRY COUNTY CLERK

JEFFERSON COUNTY TEXAS



Carolyn L. Guidry

2019 Jul 10 03:28 PM Fee: \$ 30.00

2019023057

CAROLYN L. GUIDRY, COUNTY CLERK
JEFFERSON COUNTY TEXAS

Electronically Recorded

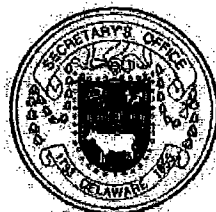
Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT
COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"PORT ARTHUR LNG HOLDINGS, LLC", A DELAWARE LIMITED LIABILITY
COMPANY,

WITH AND INTO "PALNG COMMON FACILITIES COMPANY, LLC" UNDER
THE NAME OF "PALNG COMMON FACILITIES COMPANY, LLC", A LIMITED
LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE
STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE ON THE
THIRD DAY OF JANUARY, A.D. 2019, AT 4:04 O'CLOCK P.M.



Jeffrey W. Bullock
Jeffrey W. Bullock, Secretary of State

6157212 8100M
SR# 20190051203

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 202017136
Date: 01-03-19

State of Delaware
 Secretary of State
 Division of Corporations
 Delivered 04:04 PM 01/03/2019
 FILED 04:04 PM 01/03/2019
 S. 190051203 - File Number 6157212

STATE OF DELAWARE
CERTIFICATE OF MERGER
OF
PORT ARTHUR LNG HOLDINGS, LLC
INTO
PALNG COMMON FACILITIES COMPANY, LLC

Pursuant to Title 6, Section 18-209 of the Delaware Limited Liability Company Act, the undersigned limited liability company executed the following Certificate of Merger:

FIRST: The name of the surviving Delaware limited liability company is **PALNG Common Facilities Company, LLC**, and the name of the Delaware limited liability company being merged with and into the surviving limited liability company is **Port Arthur LNG Holdings, LLC**.

SECOND: The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent limited liability companies.

THIRD: The name of the surviving limited liability company is **PALNG Common Facilities Company, LLC**.

FOURTH: The merger is to become effective upon filing of this Certificate of Merger with the Secretary of State of the State of Delaware.

FIFTH: The Agreement of Merger is on file at 488 8th Avenue, San Diego, CA 92101, the place of business of the surviving limited liability company.

SIXTH: A copy of the Agreement of Merger will be furnished by the surviving limited liability company on request, without cost, to any member of the constituent limited liability companies.

IN WITNESS WHEREOF, the surviving limited liability company has caused this Certificate of Merger to be signed by an authorized person on the 3rd day of January, 2019.

/s/ Kari E. McCulloch
 Kari E. McCulloch
 Authorized Person

Jeremy Walker-Lee

From: Assaf, Karim <[REDACTED]>
Sent: Thursday, January 16, 2025 11:34 AM
To: Jeremy Walker-Lee; WRPT
Cc: Gibbs, Christian
Subject: Port Arthur LNG Project - Temporary Water Use Permit Application
Attachments: WaterUsePermitApplication_PALNG-Tanks_w_Attachments-Signed.pdf

Dear Mr. Walker-Lee,

Please find attached an electronic copy of the completed application for a temporary water use permit for 250 Acre-feet of water for a diversion period no longer than three (3) years. The water will be obtained from the Sabine-Neches Canal and is intended for industrial uses to support the construction of the Port Arthur LNG Project. The permit application fees will be paid through electronic fund transfer.

Hard copies of the permit application will be mailed via courier mail to:

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

Please feel free to contact me for any questions or comments regarding this application.

Best Regards,

Karim Assaf, P.E. | Environmental Manager
Port Arthur LNG Project

Bechtel Energy

[REDACTED] | T +1.713.235.4958

[REDACTED] | [bechtel.com](https://www.bechtel.com)

