

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 13918

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 Port Arthur Ship Channel, Neches-Trinity Coastal Basin 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., Applicant, 3000 Post Oak Blvd., Houston, TX 77056-6501, 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 Port Arthur Ship Channel at a maximum combined diversion rate of 3.34 cfs (1,500 gpm), for industrial purposes in Jefferson County.

Water will be diverted from a diversion reach which has an upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and a downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County, ZIP Code 77640.

The application was received on May 15, 2023, and fees were received June 16 and 28, 2023. Additional information was received on June 22 and July 25, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on August 7, 2023.

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 permit are available for viewing on the TCEQ web page at: [https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/view-wr-pend-apps](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 Chief Clerk, at the address provided in the information section below, by February 26, 2024. 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 February 26, 2024. The Executive Director may approve the application unless a written request for a contested case hearing is filed by February 26, 2024.

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 13918 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](http://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: February 06, 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 13918

TYPE § 11.138

Permittee: Bechtel Energy Inc.

Address: 3000 Post Oak Blvd.  
Houston, TX 77056-6501

Received: May 15, 2023

Granted:

Watercourse: Port Arthur Ship Channel

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 at the proposed points of diversion to satisfy the requested diversion and use of not to exceed 250 acre-feet of water, within a period of three years, at a maximum combined diversion rate of 3.34 cfs (1,500 gpm), from a reach on the Port Arthur Ship Channel for industrial purposes in Jefferson County.
3. The water will be diverted from a diversion reach which has an upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and a downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County.
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. 13918 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 Port Arthur Ship Channel for industrial purposes in Jefferson County.

2. DIVERSION

Permittee is authorized to divert:

- A. From a diversion reach with the upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and the downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County.
- B. At a maximum combined diversion rate of 3.34 cfs (1,500 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 points authorized above in DIVERSION Paragraph 2 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.

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For The Commission

DATE ISSUED:

DRAFT

## Jeremy Walker-Lee

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**From:** Assaf, Karim [REDACTED]  
**Sent:** Tuesday, January 30, 2024 1:15 PM  
**To:** Sarah Henderson  
**Cc:** Jeremy Walker-Lee; Humberto Galvan  
**Subject:** RE: Bechtel Energy Inc. WRTP No. 13918

Bechtel Level 3 – General. Non-Confidential Business Information.

Dear Ms. Henderson,

Thanks for the email.

I have no comments on the draft permit.

Regards

Karim Assaf  
713-235-4958

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**From:** Sarah Henderson <sarah.henderson@tceq.texas.gov>  
**Sent:** Monday, January 29, 2024 4:07 PM  
**To:** Assaf, Karim [REDACTED]  
**Cc:** Jeremy Walker-Lee <Jeremy.Walker-Lee@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>  
**Subject:** [\*EXTERNAL\*] Bechtel Energy Inc. WRTP No. 13918

Mr. Assaf,  
Please find the attached for your review.  
A response is requested by February 12, 2024.  
Sincerely,  
Sarah

Sarah Henderson  
Water Rights Permitting Team  
Water Availability Division  
Texas Commission on Environmental Quality  
P.O. Box 13087/MC-160  
Austin, TX 78711-3087  
(P) 512.239.2535  
(F) 512.239.4770

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 29, 2024

Mr. Karim Assaf  
Bechtel Energy Inc.  
3000 Post Oak Blvd.  
Houston, TX 77056-6501

VIA E-MAIL

RE: Bechtel Energy Inc.  
WRTP 13918  
CN605159847, RN111739371  
Application No. 13918 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Assaf:

Drafts, subject to revision, of the public notice, proposed Temporary Water Use Permit No. 13918, 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 February 12, 2024 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. 13918 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 [jeremy.walker-lee@tceq.texas.gov](mailto:jeremy.walker-lee@tceq.texas.gov) or by phone at 512-239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, 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. 13918

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 Port Arthur Ship Channel, Neches-Trinity Coastal Basin 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., Applicant, 3000 Post Oak Blvd., Houston, TX 77056-6501, 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 Port Arthur Ship Channel at a maximum combined diversion rate of 3.34 cfs (1,500 gpm), for industrial purposes in Jefferson County.

Water will be diverted from a diversion reach which has an upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and a downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County, ZIP Code 77640.

The application was received on May 15, 2023, and fees were received June 16 and 28, 2023. Additional information was received on June 22 and July 25, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on August 7, 2023.

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 permit are available for viewing on the TCEQ web page at: [https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/view-wr-pend-apps](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 Chief Clerk, at the address provided in the information section below, by \_\_\_\_\_. 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 \_\_\_\_\_. The Executive Director may approve the application unless a written request for a contested case hearing is filed by \_\_\_\_\_.

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 WRTP 13918 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](http://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:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 13918

TYPE § 11.138

Permittee: Bechtel Energy Inc.

Address: 3000 Post Oak Blvd.  
Houston, TX 77056-6501

Received: May 15, 2023

Granted:

Watercourse: Port Arthur Ship Channel

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 at the proposed points of diversion to satisfy the requested diversion and use of not to exceed 250 acre-feet of water, within a period of three years, at a maximum combined diversion rate of 3.34 cfs (1,500 gpm), from a reach on the Port Arthur Ship Channel for industrial purposes in Jefferson County.
3. The water will be diverted from a diversion reach which has an upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and a downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County.
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. 13918 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 Port Arthur Ship Channel for industrial purposes in Jefferson County.

2. DIVERSION

Permittee is authorized to divert:

- A. From a diversion reach with the upstream limit located at Latitude 29.788447° N, Longitude 93.949957° W and the downstream limit located at Latitude 29.786278° N, Longitude 93.949103° W in Jefferson County.
- B. At a maximum combined diversion rate of 3.34 cfs (1,500 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 points authorized above in DIVERSION Paragraph 2 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.

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For The Commission

DATE ISSUED:

DRAFT




# Texas Commission on Environmental Quality

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## INTEROFFICE MEMORANDUM

**To:** Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team

**Date:** September 7, 2023

**Through:** Leslie Patterson, Team Leader   
Resource Protection Team

**From:** Nathalie Montes, Aquatic Scientist  
Resource Protection Team

**Subject:** Bechtel Energy Inc.  
WRTP 13918  
CN605159847  
Port Arthur Ship Channel, 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 Port Arthur Ship Channel, Neches-Trinity Coastal Basin, at a maximum combined diversion rate of 3.34 cfs (1,500 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). Title 30 TAC §298.280 does not include instream environmental flow standards for the Neches-Trinity Coastal Basin. The Applicant's proposed diversion location is in the tidally-influenced portion of the Port Arthur Ship Channel.

### RECOMMENDATIONS

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

The 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 at the diversion structure(s).

*Nathalie Montes*  
\_\_\_\_\_  
Nathalie Montes, Aquatic Scientist



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

Regarding water availability, the application requests a temporary appropriation of saline water from Port Arthur Ship Channel; therefore, a water availability analysis is not necessary.

The diversion requested in the application is for a short period of time (three years). The temporary permit will be junior to all existing water rights and subject to suspension if water is needed for those rights. Staff's opinion is that the existing water rights will not be affected by this short-term permit.

### **Conclusion**

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

*Lauren Simmons*

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Lauren Simmons, Hydrologist

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<sup>1</sup> 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.

<sup>2</sup> 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.

**Texas Commission on Environmental Quality  
TELEPHONE MEMO TO THE FILE**

Call to: Jeremy Walker-Lee	Call from: Karim Assaf
Date: 08/16/2023	Project No: 13918 & 13919

*Information for File follows:*

Mr. Assaf called to check the status of the listed applications. PM informed Mr. Assaf that the applications are currently in staff review with the tech teams.

Signed *Jeremy Walker-Lee*

# TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader  
Water Rights Permitting Team

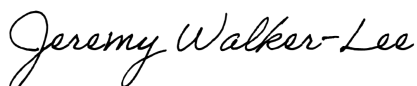
FROM: Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team

DATE: August 07, 2023

SUBJECT: Bechtel Energy Inc.  
WRTP 13918  
CN605159847, RN111739371  
Application No. 13918 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

The application was received on May 15, 2023. Fees were received on June 16 and June 28, 2023. Additional information was received on June 22 and July 25, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on August 07, 2023. 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.



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Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

**OCC Mailed Notice Required** YES NO

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 07, 2023

VIA E-MAIL

Mr. Karim Assaf  
Bechtel Energy Inc.  
3000 Post Oak Blvd.  
Houston, TX 77056-6501

RE: Bechtel Energy Inc.  
WRTP 13918  
CN605159847, RN111739371  
Application No. 13918 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Assaf:

This acknowledges receipt, on July 25, 2023, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on August 07, 2023. 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 [Jeremy.walker-lee@tceq.texas.gov](mailto:Jeremy.walker-lee@tceq.texas.gov) or by phone at 512-239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

**Bechtel Energy, Inc.**  
3000 Post Oak Boulevard  
Houston, TX 77056



July 25, 2023

VIA E-MAIL

Mr. Jeremy Walker-Lee, Project Manager  
Texas Commission on Environmental Quality  
Water Availability Division, MC-160  
12100 Park 35 Circle  
Austin, TX 78753

**Subject:** Bechtel Energy, Inc.  
WRTP 13918 & WRTP 13919  
CN605159847, RN111739371  
Application Nos. 13918 and 13919 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Walker-Lee,

I am writing this letter in response to the request for information letter dated July 18<sup>th</sup>, 2023 (RFI #2), requesting written evidence that Mr. Kane McIntosh is authorized to sign the application for Bechtel Energy, Inc pursuant to Title 30 Texas Administrative Code (TAC) § 295.14.

In response to the RFI #2 please find attached a "Certificate of Secretary" providing specific evidence that Mr. McIntosh, a duly elected Principal Vice President, is an "Authorized Signatory Officer" who is authorized to execute and deliver, on behalf of Bechtel Energy, Inc., applications and government filings, in addition to the authority to deliver and execute other legal and contractual documents, agreements, filings and commitments.

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

Best Regards,

A handwritten signature in black ink, appearing to read "K. Assaf", written in a cursive style. Below the signature is the printed name "Karim Assaf".

Karim Assaf

Environmental Manager  
Port Arthur LNG Project

Attachment

CERTIFICATE of SECRETARY



**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 25<sup>th</sup> day of July 2023.

  
Elydne S. Perrou  
Secretary



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



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

## Jeremy Walker-Lee

---

**From:** Jeremy Walker-Lee  
**Sent:** Tuesday, July 18, 2023 11:20 AM  
**To:** Assaf, Karim  
**Cc:** Humberto Galvan  
**Subject:** Bechtel Energy Inc. WRTP #13918  
**Attachments:** Bechtel\_Energy\_Inc\_13918\_RFI#2.pdf

Good Morning,

Please see the attached request for information letter for Bechtel Energy Inc. WRTP #13918 and provide a response by 8/17/23.

Thanks,

Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
512-239-0637

Attachment

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 18, 2023

Mr. Karim Assaf  
Bechtel Energy Inc.  
3000 Post Oak Blvd.  
Houston, TX 77056-6501

VIA E-MAIL

RE: Bechtel Energy Inc.  
WRTP 13918  
CN605159847, RN111739371  
Application No. 13918 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Assaf:

This acknowledges receipt, on June 16, 2023, of partial fees in the amount of \$501.25 (Endorsement No. WRS0044752, copy attached), on June 22, 2023, of additional information, and on June 28, 2023, of additional fees in the amount of \$1.88 (Receipt No. M318111, copy attached).

Before the application can be declared administratively complete, provide written evidence that Kane McIntosh is authorized to sign the application for Bechtel Energy Inc. pursuant to Title 30 Texas Administrative Code (TAC) § 295.14 which states:

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


Staff acknowledges receipt of the *Minutes of a Meeting of the Board of Directors of Bechtel Energy Inc.* dated April 28, 2022; however, this document provides general board election resolutions rather than specific evidence that Mr. McIntosh is authorized to sign the application on behalf of Bechtel Energy Inc.

Please provide the requested information by August 17, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

Mr. Karim Assaf  
Application No. 13918  
July 18, 2023  
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at [jeremy.walker-lee@tceq.texas.gov](mailto:jeremy.walker-lee@tceq.texas.gov) or by telephone at (512) 239-0637.

Sincerely,

A handwritten signature in black ink that reads "Jeremy Walker-Lee". The signature is written in a cursive, flowing style.

Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Attachments

**Texas Commission on Environmental Quality  
TELEPHONE MEMO TO THE FILE**

Call to: Jeremy Walker-Lee	Call from: Karim Assaf
Date: 6/26/2023	Project No: 13918 & 13919

*Information for File follows:*

Mr. Assaf called to check the status and retrieval of additional information for application 13918 and 13919 following the applicant sending additional information via email to the project manager. Project Manager informed applicant that the email items were received and that he will be receiving updates as the application moves through the process.

Signed *Jeremy Walker-Lee*

## Jeremy Walker-Lee

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**From:** Assaf, Karim [REDACTED]  
**Sent:** Thursday, June 22, 2023 6:08 PM  
**To:** Jeremy Walker-Lee  
**Subject:** RE: Bechtel Energy Inc. WRTP #13918  
**Attachments:** 2023-06-16 Temp Water Permit 13918-Signed\_withAttachments.pdf; 2023-06-16 Temp Water Permit 13919-Signed\_WithAttachments.pdf; PALNG\_ResponsetoTCEQ\_20230612Letter\_20230622.pdf; Payment of Fees.pdf

Bechtel Level 3 – General. Non-Confidential Business Information.

Mr. Jeremy Walker-Lee, Project Manager  
Texas Commission on Environmental Quality  
Water Availability Division, MC-160  
12100 Park 35 Circle  
Austin, TX 78753

**Subject:** Bechtel Energy, Inc.  
WRTP 13918 & WRTP 13919  
CN605159847, RN111739371  
Application Nos. 13918 and 13919 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Walker-Lee,

I am writing this email in response to the request for information letter dated June 12<sup>th</sup>, 2023. Also, please find attached two revised applications for the subject temporary water use permits. Originals and remaining payments will be couriered to the TCEQ Water Availability Division

**Question 1.** Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.

**Bechtel response 1:** All efforts will be made to take reasonable measures to avoid impingement and entrainment of aquatic organisms. Our tentative plans are to bring in a portable diesel pump with a screened intake or intake box to avoid impingement and entrainment of aquatic organisms.

**Question 2.** Confirm that the water will be diverted from Port Arthur Ship Channel, Neches-Trinity Coastal Basin.

**Bechtel response 2:** We confirm that the water will be diverted from Port Arthur Ship Channel, Neches-Trinity Coastal Basin.

**Question 3.** Confirm the locations of the upstream and downstream limits of the diversion reach. Staff notes the coordinates provided were not in decimal degrees to at least six decimal places. Staff has calculated coordinates in the table below:

	Latitude	Longitude
Upstream Limit	29.788447	-93.949957
Downstream Limit	29.786278	-93.949103

**Bechtel response 3:** We confirm that the locations of the upstream and downstream limits of the diversion reach as calculated by the TCEQ staff and presented in your June 12<sup>th</sup>, 2023 request for information letter are the correct coordinates for Permit application No. 13918.

Additionally, the following coordinates are for Permit application No. 13919:

Permit No. 13919	Latitude	Longitude
Diversion Point	29.806558	-93.956149

**Question 4.** Provide recorded copies of legal documents establishing ownership of the proposed diversion point or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant to Title 30 Texas Administrative Code (TAC) §295.10. as follows:

- a. Letter provided with the application states that Port Arthur LNG, LCC (PALNG) gives the applicant consent to access the diversion point location. However, staff notes that the legal name as shown on the Certificate of Merger and the Correction Special Warranty Deed is Port Arthur LNG Holdings, LLC.
- b. Exhibit A is missing from the Correction Special Warranty Deed.

**Bechtel response 4:** A revised authorization letter with the correct legal name along Exhibit A of the Correction Special Warranty Deed are provided as attachments to this letter.

**Question 5.** Provide written evidence that Mr. Karim Assaf is authorized to sign the application for Bechtel Energy, Inc. pursuant to Title 30 TAC § 295.14 which states:

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

**Bechtel response 5:** Two revised applications (TCEQ forms 10202) are provided as attachments to this letter with Mr. Michael Kane McIntosh signing as the duly authorized official, with written evidence of his election by the Board of Directors of on April 28<sup>th</sup>, 2022 as a principal vice president of Bechtel Energy, Inc.

**Question 6.** Remit fees in the amount of \$503.13 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 250.00
Notice Fee (\$ 0.94 x 2 WR holders)	\$ 1.88
<b>TOTAL FEES</b>	<b>\$ 503.13</b>
<b>FEES RECEIVED</b>	<b>\$ 0.00</b>
<b>BALANCE DUE</b>	<b>\$ 503.13</b>

**Bechtel response 6:** The fees (filing, recording, and use) for two Temporary Water Use Permit Applications in the amount of \$1,002.50 were transferred by Bechtel Corporation via electronic fund transfer on June 7<sup>th</sup>, 2023; Ref No. CR200523. This was confirmed in an email from Jamie Rivera of the TCEQ received on June 15<sup>th</sup>, 2023. A money order in the total amount of \$13.76 to cover the additional calculated use fees and the notice fees is attached with this letter.

**Permit Application Number 13918**

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 250.00
Notice Fee (\$ 0.94 x 2 WR holders)	\$ 1.88
<b>TOTAL FEES</b>	<b>\$ 503.13</b>
<b>FEES SUBMITTED</b>	<b>\$ 501.25</b>
<b>BALANCE DUE (Covered by the attached money order)</b>	<b>\$ 1.88</b>

**Permit Application Number 13918**

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 260.00
Notice Fee (\$ 0.94 x 2 WR holders)	\$ 1.88
<b>TOTAL FEES</b>	<b>\$ 513.13</b>
<b>FEES SUBMITTED</b>	<b>\$ 501.25</b>



BALANCE DUE (Covered by the attached money order) \$ 11.88

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

Best Regards,

Karim Assaf | Environmental Manager  
Bechtel Energy  
M +1.918.378.9260 | T +1.713.235.4958  
[REDACTED] [bechtel.com](http://bechtel.com)



---

**From:** Jeremy Walker-Lee <Jeremy.Walker-Lee@tceq.texas.gov>

**Sent:** Monday, June 12, 2023 10:04 AM

**To:** Assaf, Karim [REDACTED]

**Subject:** [\*EXTERNAL\*] Bechtel Energy Inc. WRTP #13918

Good Morning,

Please see the attached request for information letter for Bechtel Energy Inc. WRTP #13918 and provide a response by 7/12/23.

Thanks,

Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
512-239-0637

**Bechtel Energy, Inc.**  
3000 Post Oak Boulevard  
Houston, TX 77056



June 22, 2023

Mr. Jeremy Walker-Lee, Project Manager  
Texas Commission on Environmental Quality  
Water Availability Division, MC-160  
12100 Park 35 Circle  
Austin, TX 78753

**Subject:** Bechtel Energy, Inc.  
WRTP 13918 & WRTP 13919  
CN605159847, RN111739371  
Application Nos. 13918 and 13919 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Walker-Lee,

I am writing this letter in response to the request for information letter dated June 12<sup>th</sup>, 2023. Also, please find attached two revised applications for the subject temporary water use permits.

**Question 1.** Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.

**Bechtel response 1:** All efforts will be made to take reasonable measures to avoid impingement and entrainment of aquatic organisms. Our tentative plans are to bring in a portable diesel pump with a screened intake or intake box to avoid impingement and entrainment of aquatic organisms.

**Question 2.** Confirm that the water will be diverted from Port Arthur Ship Channel, Neches-Trinity Coastal Basin.

**Bechtel response 2:** We confirm that the water will be diverted from Port Arthur Ship Channel, Neches-Trinity Coastal Basin.

**Question 3.** Confirm the locations of the upstream and downstream limits of the diversion reach. Staff notes the coordinates provided were not in decimal degrees to at least six decimal places. Staff has calculated coordinates in the table below:

	Latitude	Longitude
Upstream Limit	29.788447	-93.949957
Downstream Limit	29.786278	-93.949103

Mr. Jeremy Walker-Lee, Project Manager  
Texas Commission on Environmental Quality  
Water Availability Division, MC-160  
June 22, 2023  
Page 3

**Bechtel response 6:** The fees (filing, recording, and use) for two Temporary Water Use Permit Applications in the amount of \$1,002.50 were transferred by Bechtel Corporation via electronic fund transfer on June 7<sup>th</sup>, 2023; Ref No. CR200523. This was confirmed in an email from Jamie Rivera of the TCEQ received on June 15<sup>th</sup>, 2023. A money order in the total amount of \$13.76 to cover the additional calculated use fees and the notice fees is attached with this letter.

**Permit Application Number 13918**

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 250.00
<u>Notice Fee (\$ 0.94 x 2 WR holders)</u>	<u>\$ 1.88</u>
TOTAL FEES	\$ 503.13
<u>FEES SUBMITTED</u>	<u>\$ 501.25</u>
BALANCE DUE (Covered by the attached money order)	\$ 1.88

**Permit Application Number 13918**

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 260.00
<u>Notice Fee (\$ 0.94 x 2 WR holders)</u>	<u>\$ 1.88</u>
TOTAL FEES	\$ 513.13
<u>FEES SUBMITTED</u>	<u>\$ 501.25</u>
BALANCE DUE (Covered by the attached money order)	\$ 11.88

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

Best Regards,



Karim Assaf

Environmental Manager  
Port Arthur LNG Project

Attachment

- Revised Permit applications
- Revised letter of authorization to access the diversion points
- Correction Special Warranty Deed with Attachment A
- Certificate of merger
- Receipt of Payment Confirmation
- Additional Permit fees (Money order for \$13.76)

## Assaf, Karim

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**From:** Assaf, Karim  
**Sent:** Thursday, June 15, 2023 8:56 PM  
**To:** Jamie Rivera; Cashiers  
**Cc:** WRPT  
**Subject:** RE: Bechtel - Application fees for two Temporary Water Use Permit applications  
**Attachments:** Greater that 10-acres Application\_DiversionPoint1\_SIGNED.pdf; Greater that 10-acres Application\_DiversionPoint2\_SIGNED.pdf

The permit numbers are 13918 and 13919.

Karim Assaf  
713-235-4958

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**From:** Jamie Rivera <Jamie.Rivera@tceq.texas.gov>  
**Sent:** Thursday, June 15, 2023 4:46 PM  
**To:** Assaf, Karim [REDACTED] Cashiers <Cashiers@tceq.texas.gov>  
**Cc:** WRPT <WRPT@tceq.texas.gov>  
**Subject:** [\*EXTERNAL\*] RE: Bechtel - Application fees for two Temporary Water Use Permit applications

Bechtel Level 3 – General. Non-Confidential Business Information.

We received your payment. however, we do need a copy of the TCEQ applications.

I do see that you are paying for 2 temporary water use permits – if you could just attach a copy of the applications, please?

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

Thank you so much,  
Jamie Rivera

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**From:** Assaf, Karim [REDACTED]  
**Sent:** Wednesday, June 7, 2023 1:31 PM  
**To:** Cashiers <[Cashiers@tceq.texas.gov](mailto:Cashiers@tceq.texas.gov)>  
**Cc:** WRPT <[WRPT@tceq.texas.gov](mailto:WRPT@tceq.texas.gov)>  
**Subject:** Bechtel - Application fees for two Temporary Water Use Permit applications

The fees (filing, recording, and use) for two Temporary Water Use Permit Applications in the amount of \$1,002.50 were transferred by Bechtel Corporation via electronic fund transfer on 7 June 2023; Ref No. CR200523.

The details of the applications are as follows:

- 1- Application by Bechtel Corporation for a temporary water use permit (Form TCEQ-10202) for 250 ac-ft for a diversion period of three years from **diversion point 1** Latitude 29.8066 deg N, Lon 93.9561 deg W at the Port Arthur LNG Project.

- 2- Application by Bechtel Corporation for a temporary water use permit (Form TCEQ-10202) for 250 ac-ft for a diversion period of three years from **diversion point 2** Lat. 29.7885 N, Long. 93.9499 W to Lat. 29.7863 N, Long. 93.9491 W at the Port Arthur LNG Project.

The two applications were submitted via email on 5/15/2023, and hard copies were delivered by courier to the Water Availability Division (MC-160) on 6/2/2023.

Thank you,

Karim Assaf | Environmental Manager  
Bechtel Energy  
M +1.918.378.9260 | T +1.713.235.4958  
[REDACTED] | [bechtel.com](http://bechtel.com)



Bechtel Level 3 – General. Non-Confidential Business Information.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Telephone (512) 239-4691, FAX (512) 239-4770

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

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

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

- 1. Data on Applicant and Project: Social Security or Federal ID No.
A. Name: Bechtel Energy, Inc.
B. Mailing Address: 3000 Post Oak Boulevard, Houston, TX. 77056
C. Telephone Number: (713) 235-4958 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water Soil Improvement, dust control, hydrotesting, general construction uses
F. Description of Project (TDH Project No. if applicable) Construction of an LNG export terminal (Port Arthur LNG Project)
G. Highway Designation No. 87 County Jefferson

- 2. Type of Diversion (check one): 3. Rate of Diversion:
[X] From Stream [ ] From Reservoir
A. Maximum 1500 gpm (capacity of pump)

- 4. Amount and Source of Water:
250 acre-feet of water within a period of 3 years (specify term period not to exceed a three year term). The water is to be obtained from Port Arthur Ship Canal, tributary of Sabine River, tributary of Gulf of Mexico, tributary of NA, Sabine River Basin

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 29.7885, 29.7863 °N, Longitude 93.9499, 93.9491 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) SH87 (R-O-W) (Highway), located in Zip Code 77640, located 23 miles in a SE direction from Beaumont (County Seat), Jefferson County, and 5 miles in a South direction from Port Arthur, a nearby town shown on County road map. Note: Distance in straight line miles.

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

- 6. Access to Diversion Point (check one): 7. Fees Enclosed:
[ ] Public right-of-way
[X] Private property (A letter of permission from landowner is attached)
[ ] Other (Explain)
Filing \$ 100.00
Recording \$ 1.25
Use (\$1.00 per ac-ft or fraction thereof) \$ 250.00
Total \$ 501.25
(Note: 1 ac-ft = 325,851 gals. 1 ac-ft = 7758.35 bbls.)

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

Signature and Name (print) of applicant and notary public.

Subscribed and sworn to me as being true and correct by me this 16 day of JUNE, 2023



Signature of Notary Public, State of Texas

MINUTES OF A MEETING OF  
THE BOARD OF DIRECTORS OF  
BECHTEL ENERGY INC.

Reston, Virginia

April 28, 2022

A meeting of the Board of Directors (the "Board") of BECHTEL ENERGY INC., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), was held on Thursday, April 28, 2022, at 12011 Sunset Hills Road, Reston, Virginia 20190.

The following Directors were present:

Michael C. Bailey

Keith B. Hennessey

The following Directors were absent:

None

The following attendees were present:

Kristi Demidio Chase

Mr. Bailey acted as Chair of the meeting, and Ms. Demidio Chase, Secretary, recorded the minutes thereof.

The minutes of the previous meeting of December 14, 2021 have been submitted and recorded.

Upon motion duly made and seconded the following resolutions were unanimously adopted:

1. Removal of Principal Vice Presidents

WHEREAS, the Board wishes to remove certain individuals as principal vice presidents of the Corporation, effective as of the close of this meeting.

NOW, THEREFORE, BE IT RESOLVED, that each individual listed below be, and hereby is, removed as a principal vice president of the Corporation, effective as of the close of this meeting:

Michael DiCarlo  
Richard G. Glancy  
John H. Platt  
Joseph M. St. Julian

2. Election of Principal Vice Presidents

WHEREAS, the Board wishes to elect certain individuals as principal vice presidents of the Corporation, effective as of the close of this meeting.

NOW, THEREFORE, BE IT RESOLVED, that each individual listed below be, and hereby is, elected as a principal vice president of the Corporation, effective as of the close of this meeting, their terms of office to continue until each shall resign, be removed, or a successor is qualified and elected:

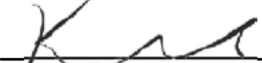
Christian R. Desjardins (superseding his current position as vice president)  
Michael K. McIntosh  
Richard J. McMillan

3. Election of Assistant Secretary

WHEREAS, the Board wishes to elect Michael DiCarlo as an assistant secretary of the Corporation, effective as of the close of this meeting.

NOW, THEREFORE, BE IT RESOLVED, that Michael DiCarlo be, and he hereby is, elected as an assistant secretary of the Corporation, effective as of the close of this meeting, his term of office to continue until he shall resign, be removed, or a successor is qualified and elected.

There being no further business to come before the meeting, on motion duly made, seconded and unanimously carried, the meeting was adjourned.

  
\_\_\_\_\_  
Kristi Demidio Chase, Secretary

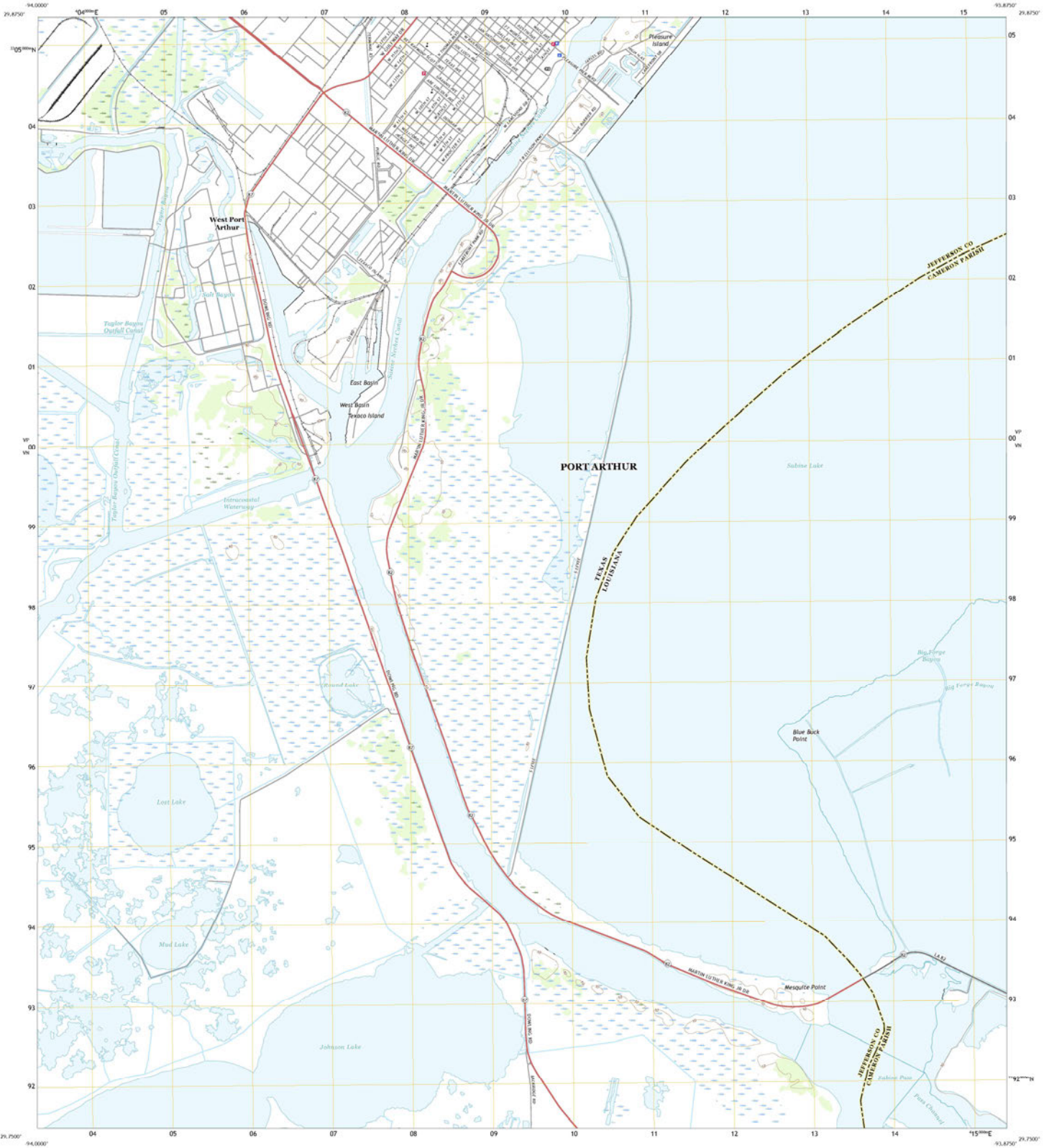




U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

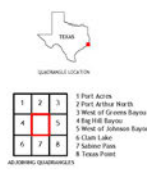
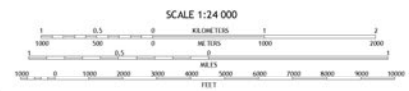


PORT ARTHUR SOUTH QUADRANGLE  
TEXAS - LOUISIANA  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Coordinate System of 1983 (WGS84), Projection and  
1 000-meter grid (Universal Transverse Mercator, Zone 17R)  
This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands with government  
concessions may not be shown. Obtain permission before  
entering private lands.

Images: MAP, August 2015; November 2016  
Roads: U.S. Census Bureau, 2015 - 2017  
Hydrography: National Hydrography Dataset, 2015 - 2018  
Contour: National Elevation Dataset, 2018  
Boundaries: Multiple sources; see metadata file 2016 - 2017  
Public Land Survey: National BLM, 2015  
Wetlands: FWS National Wetlands Inventory 1989 - 2010



ROAD CLASSIFICATION

Expressway	Local Connector
Secondary Hwy	Local Road
Bypass	HRP
Interstate Route	US Route
	State Route

PORT ARTHUR SOUTH, TX, LA  
2019





# 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)



*Carolyn L. Guidry*

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

2019023057

CAROLYN L. GUIDRY, COUNTY CLERK  
JEFFERSON COUNTY TEXAS

\*Electronically Recorded\*

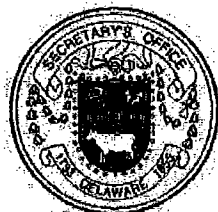
# Delaware

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.



*JWB*  
Jeffrey W. Bullock, Secretary of State

6157212 8100M  
SR# 20190051203

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 8<sup>th</sup> 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 3<sup>rd</sup> day of January, 2019.

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



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

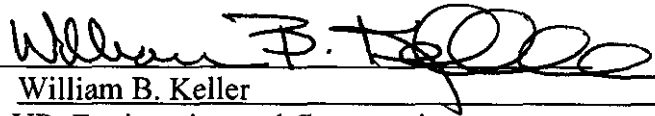
PEC MINERALS LP,  
a Texas limited partnership,  
formerly known as SEMPRA ENERGY PRODUCTION COMPANY,  
a California corporation

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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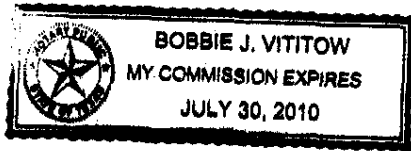
STATE OF TEXAS

§  
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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 14<sup>th</sup> 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: \_\_\_\_\_

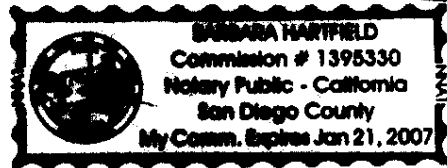
STATE OF CALIFORNIA

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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.



Barbara Hartfield  
Notary Public, State of California

BARBARA HARTFIELD  
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.

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## 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. 200000811 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

JAMES \$154.00

2006040325

CAROLYN L. GUIDRY COUNTY CLERK

JEFFERSON COUNTY TEXAS

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
TELEPHONE MEMO TO THE FILE**

**Phone Contact Information**

<b>Call to:</b>	<b>Call from: Karim Assaf</b>
<b>Permittee Name: Bechtel Energy Inc</b>	<b>Date of Call: 6/16/23</b>
<b>/Phone No.: 713-235-4958</b>	<b>/File No: 13918 &amp; 13919</b>

**Phone Subject**

<b>Subject: RFI Questions and Additional Information Clarification</b>
--

**Phone Conversation Details**

**Information for the file:**

Applicant called with questions from RFI questions for 13918 referring to signature authority, six digits for diversion point coordinates, Form 10202, and the length of the permitting process. Applicant informed PM that they plan to resubmit applications for 13918 and 13919, as well as additional information requested in RFI for 13918.

**Signature/Date:**

*Jeremy Walker-Lee*

6 / 1 6 / 2 3

## Jeremy Walker-Lee

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**From:** Jeremy Walker-Lee  
**Sent:** Monday, June 12, 2023 10:04 AM  
**To:** [REDACTED]  
**Subject:** Bechtel Energy Inc. WRTP #13918  
**Attachments:** Bechtel\_Energy\_Inc\_13918\_Draft\_RFI\_Sent\_6.12.23.pdf

Good Morning,

Please see the attached request for information letter for Bechtel Energy Inc. WRTP #13918 and provide a response by 7/12/23.

Thanks,

Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
512-239-0637

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 12, 2023

VIA E-MAIL

Mr. Karim Assaf  
Bechtel Energy, Inc.  
3000 Post Oak Blvd  
Houston, TX 77056-6501

RE: Bechtel Energy, Inc.  
WRTP 13918  
CN605159847, RN111739371  
Application No. 13918 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Port Arthur Ship Channel, Neches-Trinity Coastal Basin  
Jefferson County

Dear Mr. Assaf:

This acknowledges receipt, on May 15, 2023, of the referenced application.

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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

1. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
2. Confirm that the water will be diverted from Port Arthur Ship Channel, Neches-Trinity Coastal Basin.
3. Confirm the locations of the upstream and downstream limits of the diversion reach. Staff notes the coordinates provided were not in decimal degrees to at least six decimal places. Staff has calculated coordinates in the table below:

	Latitude	Longitude
Upstream Limit	29.788447	-93.949957
Downstream Limit	29.786278	-93.949103

4. Provide recorded copies of legal documents establishing ownership of the proposed diversion point or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant to Title 30 Texas Administrative Code (TAC) § 295.10. as follows:
  - a. Letter provided with the application states that Port Arthur LNG, LCC (PALNG) gives the applicant consent to access the diversion point location. However, staff notes that the legal name as shown on the Certificate of Merger and the Correction Special Warranty Deed is Port Arthur LNG Holdings, LLC.
  - b. Exhibit A is missing from the Correction Special Warranty Deed.
5. Provide written evidence that Mr. Karim Assaf is authorized to sign the application for Bechtel Energy, Inc. pursuant to Title 30 TAC § 295.14 which states:

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

6. Remit fees in the amount of \$503.13 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Temporary Water Use Permit > 10 acre-feet)	\$ 250.00
Recording Fee	\$ 1.25
Use Fee	\$ 250.00
Notice Fee (\$ 0.94 x 2 WR holders)	\$ 1.88
<u>TOTAL FEES</u>	<u>\$ 503.13</u>
<u>FEES RECEIVED</u>	<u>\$ 0.00</u>
BALANCE DUE	\$ 503.13

Please provide the requested information and fees by July 12, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at [jeremy.walker-lee@tceq.texas.gov](mailto:jeremy.walker-lee@tceq.texas.gov) or by telephone at (512) 239-0637.

Sincerely,



Jeremy Walker-Lee, Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
Attachment





# Basis2 Receipt Report by Endorsement Number

JUN-26-23 10:33 AM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
PORT ARTHUR SHIP CAN/SABINE RVR/GULF OF	WRS0044752		TX COMPTROLLER/BECHTEL ENERGY I	WT	WIRE		BS00103546	16-JUN-23	\$501.25



# Basis2 Receipt Report by Endorsement Number

JUN-26-23 10:34 AM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
PORT ARTHUR SHIP CAN/SABINE RVR/GULF OF	WRS0044753		TX COMPTROLLER/BECHTEL ENERGY I	WT	WIRE		BS00103546	16-JUN-23	\$501.25





28-JUN-23 04:37 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M318111	9181516969		BS00103801	28-JUN-23	-\$13.76
	WUP	13918/13919	062823	N	D3802916		
WATER USE PERMITS		ASSAF, KARIM	RHDAVIS	MO			
	WUP	M318112	164		BS00103801	28-JUN-23	-\$270.50
	WUP		062823	N	D3802916		
WATER USE PERMITS		HALLORAN, EVAN K	RHDAVIS	CK			
Total (Fee Code):							-\$284.26

**RECEIVED**  
 JUL 05 2023  
 Water Availability Division

**RECEIVED**  
 JUL 05 2023  
 Water Availability Division

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
P.O. Box 13087 MC-160, Austin, Texas 78711-3087  
Telephone (512) 239-4691, FAX (512) 239-4770

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

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

**Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.**

1. **Data on Applicant and Project:** Social Security or Federal ID No. \_\_\_\_\_
- A. Name: Bechtel Energy, Inc.
- B. Mailing Address: 3000 Post Oak Boulevard, Houston, TX. 77056
- C. Telephone Number: (713) 235-4958 Fax Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_
- D. Applicant owes fees or penalties?  Yes  No  
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:  
\_\_\_\_\_
- E. Describe Use of Water Soil Improvement, dust control, hydrotesting, general construction uses.
- F. Description of Project (TDH Project No. if applicable) Construction of an LNG export terminal (Port Arthur LNG Project)
- G. Highway Designation No. 87 County Jefferson

2. **Type of Diversion (check one):**  From Stream  From Reservoir
3. **Rate of Diversion:**  
A. Maximum 1500 gpm  
(capacity of pump)

4. **Amount and Source of Water:**  
250 acre-feet of water within a period of 3 years (specify term period not to exceed a three year term). The water is to be obtained from Port Arthur Ship Canal, tributary of Sabine River, tributary of Gulf of Mexico, tributary of NA, Sabine River Basin.

5. **Location of Diversion Point:** Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.  
At Latitude 29.7885, 29.7863 °N, Longitude 93.9499, 93.9491 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) SH87 (R-O-W) (Highway), located in Zip Code 77640, located 23 miles in a SE direction from Beaumont (County Seat), Jefferson County, and 5 miles in a South direction from Port Arthur, a nearby town shown on County road map. Note: Distance in straight line miles.

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

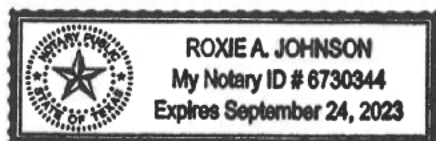
- |  |   |                          |  |                       |
|--|---|--------------------------|--|-----------------------|
| 6. <b>Access to Diversion Point (check one):</b> | <input type="checkbox"/> Public right-of-way  | 7. <b>Fees Enclosed:</b> | 10 ac-ft or less   | greater than 10 ac-ft |
|  | <input checked="" type="checkbox"/> Private property<br>(A letter of permission from landowner is attached) |                          | Filing .....   | \$ 100.00 \$ 250.00   |
|  | <input type="checkbox"/> Other (Explain)  |                          | Recording .....  | \$ 1.25 \$ 1.25       |
|  |   |                          | Use (\$1.00 per ac-ft or fraction thereof)<br>(Note: 1 ac-ft = 325,851 gals. Total \$ _____ \$501.25<br>1 ac-ft = 7758.35 bbls.) |                       |

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

[Signature]  
Name (sign)

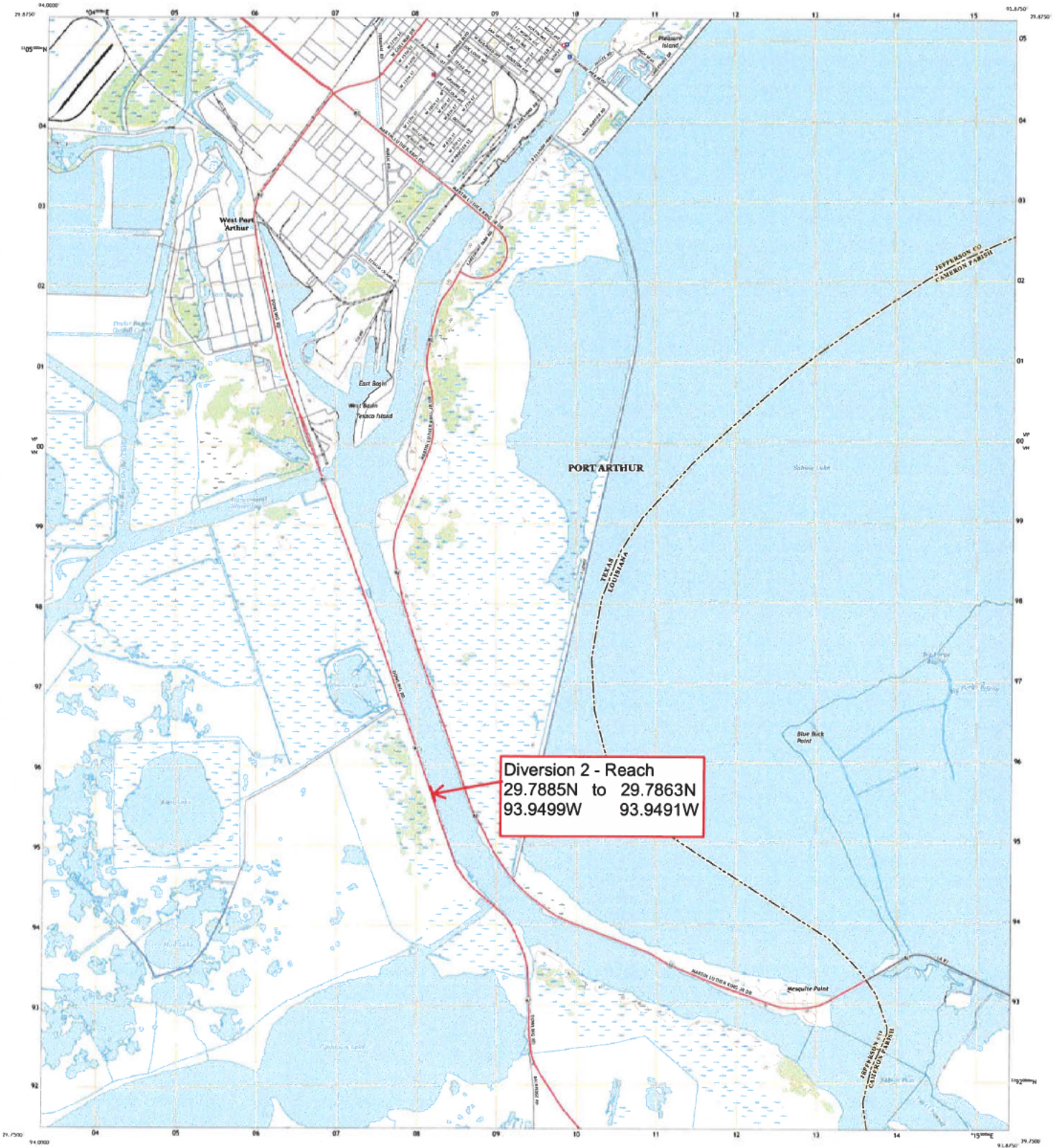
Karim Assaf  
Name (print)

Subscribed and sworn to me as being true and correct before me this 12 day of MAY, 2023



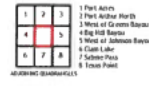
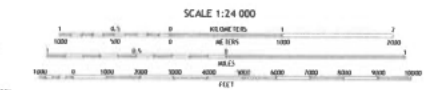
[Signature]  
Notary Public, State of Texas





Diversion 2 - Reach  
29.7885N to 29.7863N  
93.9499W 93.9491W

Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84), Projection and  
1:250,000 scale for National Topographic Series, Zone 18B  
This map is not a legal document. Boundaries may be  
questioned for the legal title. Private lands and other  
resources may not be shown. Obtain permission before  
entering private lands.





**Karim El Kheiashy**  
Project Director - Engineering & Construction

**Sempra Infrastructure**  
1500 Post Oak Boulevard, Suite 1000  
Houston, TX, 77056

Cell: 346.315.5167

Email: [REDACTED]

September 12, 2022

Dr Glen Richards  
Environmental & Sustainability Manager  
BECHTEL ENERGY  
3000 Post Oak Boulevard  
Houston, TX, 77056

**Subject: Port Arthur LNG Project-Bechtel Access Rights for Water Withdrawal**

Dear Glen,

On behalf of Port Arthur LNG, LCC (PALNG), the undersigned authorizes Bechtel representatives' access to its property located at 3750 South Gulfway Dr., Port Arthur, Texas, 77640, for the purposes of water abstraction in the course of construction of the PALNG Liquefaction Project.

Very Truly Yours,

DocuSigned by:  
*Karim El Kheiashy*  
6CD2BF5D028D400...

Karim El Kheiashy  
Project Director – E&C

cc: Sam Singh  
Kane McIntosh

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



*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.



*JMSLR*  
Jeffrey W. Bullock, Secretary of State

6157212 8100M  
SR# 20190051203

Authentication: 202017136  
Date: 01-03-19

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 04:04 PM 01/03/2019  
FILED 04:04 PM 01/03/2019  
S. 0190051203 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 8<sup>th</sup> 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 3<sup>rd</sup> day of January, 2019.

/s/ Karl E. McCulloch  
Karl E. McCulloch  
Authorized Person



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:** (including county) 101 Ash Street PZ17B San Diego, California 92101-3711 (San Diego County)

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

**GRANTEE'S MAILING ADDRESS:** (including county) 101 Ash Street HQ14A 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: Semptra 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**

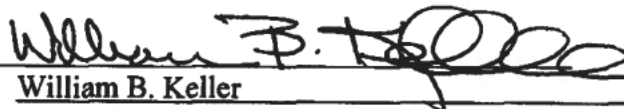
PEC MINERALS LP,  
a Texas limited partnership,  
formerly known as SEMPRA ENERGY PRODUCTION COMPANY,  
a California corporation

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

[The remainder of this page left deliberately blank.]

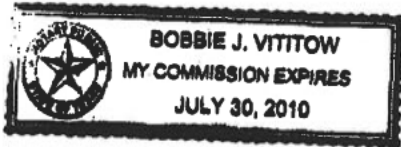
STATE OF TEXAS

§  
§  
§

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 16<sup>th</sup> DAY OF October, 2006.



Bobbie J. Vittow  
Notary Public, State of Texas  
Bobbie J. Vittow  
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

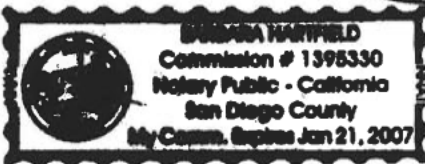
My Commission Expires: \_\_\_\_\_

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

On Sept. 28th 2006, before me BARBARA HARTFIELD, Notary personally appeared William O. 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.



Barbara Hartfield  
Notary Public, State of California

BARBARA HARTFIELD  
Notary's Printed Name

My Commission Expires: JAN. 21, 2007

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After Recording, Return to:

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

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