

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 12-2948B

Chester E. Dickson and Linda Diane Dickson (Owners/ Applicants) seek an amendment to Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate from 2.23 cfs (1,000 gpm) to 6.69 cfs (3,000 gpm), and to add a place of use for agricultural purposes in Bell County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Chester E. Dickson and Linda Diane Dickson, 2699 Sparta Road, Belton, Texas 76513, have applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to a Certificate of Adjudication pursuant to Texas Water Code (TWC) § 11.122 and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, et seq. Mailed and published notice to water right holders of record in the Brazos River Basin is required pursuant to Title 30 TAC § 295.158(b)(2).

Certificate of Adjudication No. 12-2948 authorizes Owners to divert a total of 278 acre-feet of water per year from three points on Nolan Creek, tributary of the Leon River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County. The time priority of Owners' right is July 31, 1960.

Applicants seek to amend Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm) and to add a place of use for agricultural purposes to irrigate 785.947 acres out of a 785.947-acre tract in Bell County.

Ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 121; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County.

The application and fees were received on November 8, 2019. Additional information was received on March 13 and 16, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on April 27, 2020.

The Executive Director has 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, streamflow restrictions. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at:

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Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

PUBLIC COMMENT / PUBLIC MEETING. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. 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 within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

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 to the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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Issued: July 25, 2023

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO.	12-2948B	TYPE	§ 11.122
Owner:	Chester E. Dickson and Linda Diane Dickson	Address:	2699 Sparta Road Belton, Texas 76513
Filed:	April 27, 2020	Granted:	
Purpose:	Agricultural	County:	Bell
Watercourse:	Nolan Creek, tributary of the Leon River, tributary of the Little River, tributary of the Brazos River	Watershed:	Brazos River Basin

WHEREAS, Certificate of Adjudication No. 12-2948 authorizes Chester E. Dickson and Linda Diane Dickson (Owners/Applicants) to divert a total of 278 acre-feet of water per year from three points on Nolan Creek, tributary of the Leon River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County; and

WHEREAS, the time priority of Owners' right is July 31, 1960; and

WHEREAS, Applicants seek to amend Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm), and to add a place of use for agricultural purposes to irrigate 785.947 acres out of a 785.947-acre tract in Bell County; and

WHEREAS, ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 121; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with*

Vendor's Lien recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the Brazos Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 12-2948, designated Certificate of Adjudication No. 12-2948B, is issued to Chester E. Dickson and Linda Diane Dickson subject to the following terms and conditions:

1. USE

In addition to the previous authorizations, Owners are authorized to use the 278 acre-feet of water per year for agricultural purposes to irrigate a maximum of 785.947 acres out of a 785.947-acre tract in Bell County.

Ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 121; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County.

2. DIVERSION RATE

In addition to the previous authorization, Owners are authorized to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm), in combination with Certificate of Adjudication No. 12-2949.

3. CONSERVATION

Owners shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a

water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

4. TIME PRIORITY

- A. The authorization to divert at a maximum combined diversion rate of 2.23 cfs (1,000 gpm) has a time priority of July 31, 1960.
- B. The authorization to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm) has a time priority of April 27, 2020.

5. SPECIAL CONDITIONS

- A. Any diversion of water at a combined maximum diversion rate of greater than 2.23 cfs (1,000 gpm), in combination with diversions authorized under Certificate of Adjudication No. 12-2949, shall be restricted based on the following streamflows at USGS Gage No. 08104500 - Little River near Little River, TX, as set forth in Paragraphs 5.B - 5.F. below.

Season	Subsistence	Hydrologic Condition	Base
Winter	55 cfs	Dry	82 cfs
		Average	110 cfs
		Wet	190 cfs
Spring	55 cfs	Dry	95 cfs
		Average	150 cfs
		Wet	340 cfs
Summer	55 cfs	Dry	84 cfs
		Average	120 cfs
		Wet	200 cfs

cfs = cubic feet per second

- B. Seasons are defined as follows: Winter (November through February), Spring (March through June), Summer (July through October).
- C. Owners shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in Paragraphs 5.C.(1) - (3) below.
 - 1. Owners shall determine the PHDI Index for a season based on the following formula:

$$(0.619 \times \text{North Central PHDI}) + (0.147 \times \text{East Texas PHDI}) + (0.057 \times \text{Edwards Plateau PHDI}) + (0.132 \times \text{South Central PHDI}) + (0.045 \times \text{Upper Coast PHDI})$$
 - 2. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:

Dry	Average	Wet
Less than -1.73	-1.73 - 2.13	Greater than 2.13

3. Owners may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly value PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.

Subsistence Flow Special Conditions and 50% Rule

- D. Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. if the average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is less than or equal to the applicable subsistence flow. The “average adjusted streamflow” at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The “adjusted streamflow” at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Owners. Unless informed otherwise by the Brazos Watermaster, Owners may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Owners under this water right equals adjusted streamflow.
- E. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable subsistence flow but less than the applicable base flow, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

- F. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable hydrologic condition, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable base flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.
- G. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the points authorized above in Paragraph 2. DIVERSION RATE and maintain measurement records.
- H. Owners shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.
- I. Owners shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.

- J. Owners shall contact the Brazos Watermaster prior to diversion of water authorized by this amendment.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the Certificate of Adjudication by the owners or seller at the time of the transaction.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate of Adjudication No. 12-2948, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

Owners agree to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

Date Issued:

Hal Bailey

From: Lora Naismith [REDACTED]
Sent: Friday, July 14, 2023 4:39 PM
To: Hal Bailey
Cc: Humberto Galvan; Chris Kozlowski; Sara Thornton
Subject: RE: Chester E. Dickson and Linda Diane Dickson Application No. 12-2948B Revised Draft Amendment Package Applicant Review

Good afternoon Hal,

We have reviewed, and we have no further comments for the revised versions of the notices and draft permits.

Thank you!
Lora



LORA NAISMITH

Attorney
512-322-5850 Direct
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, TX 78701
www.lglawfirm.com | 512-322-5800

***ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS SUBJECT TO THE OPEN MEETINGS ACT ***

A "REPLY TO ALL" OF THIS EMAIL COULD LEAD TO VIOLATIONS OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO LEGAL COUNSEL.

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No portion of this email is an "electronic signature" and neither the author nor any client thereof will be bound by this e-mail unless expressly designated as such as provided in more detail at www.lglawfirm.com/electronic-signature-disclaimer/.

From: Hal Bailey <Hal.Bailey@tceq.texas.gov>
Sent: Friday, June 30, 2023 10:03 AM
To: Sara Thornton [REDACTED]
Cc: Lora Naismith [REDACTED]; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Subject: Chester E. Dickson and Linda Diane Dickson Application No. 12-2948B Revised Draft Amendment Package Applicant Review

Good morning Sara,

Attached is the revised draft amendment package for application no. 12-2948B, incorporating edits proposed by the Applicants.

Please review the revised drafts and provide a response by COB on 07/14/2023.

Should you have any questions regarding the drafts, please let me know.

Thank you,

Hal E. Bailey, Jr.
Natural Resources Specialist III
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
512-239-4615 Hal.Bailey@tceq.texas.gov

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 12-2948B

Chester E. Dickson and Linda Diane Dickson (Owners/ Applicants) seek an amendment to Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate from 2.23 cfs (1,000 gpm) to 6.69 cfs (3,000 gpm), and to add a place of use for agricultural purposes in Bell County. More information on the application and how to participate in the permitting process is given below.

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AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO.	12-2948B	TYPE	§ 11.122
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Filed:	April 27, 2020	Granted:	
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Vendor's Lien recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the Brazos Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 12-2948, designated Certificate of Adjudication No. 12-2948B, is issued to Chester E. Dickson and Linda Diane Dickson subject to the following terms and conditions:

1. USE

In addition to the previous authorizations, Owners are authorized to use the 278 acre-feet of water per year for agricultural purposes to irrigate a maximum of 785.947 acres out of a 785.947-acre tract in Bell County.

Ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 1212; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County.

2. DIVERSION RATE

In ~~addition to~~ ~~lieu of~~ the previous authorization, Owners are authorized to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm), in combination with Certificate of Adjudication No. 12-2949.

3. CONSERVATION

Owners shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a

water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

4. TIME PRIORITY

- A. The authorization to divert at a maximum combined diversion rate of 2.23 cfs (1,000 gpm) has a time priority of July 31, 1960.
- B. The authorization to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm) has a time priority of April 27, 2020.

5. SPECIAL CONDITIONS

- A. Any diversion of water at a combined maximum diversion rate of greater than 2.23 cfs (1,000 gpm), in combination with diversions authorized under Certificate of Adjudication No. 12-2949, shall be restricted based on the following streamflows at USGS Gage No. 08104500 - Little River near Little River, TX, as set forth in Paragraphs 5.B - 5.F. below.

Season	Subsistence	Hydrologic Condition	Base
Winter	55 cfs	Dry	82 cfs
		Average	110 cfs
		Wet	190 cfs
Spring	55 cfs	Dry	95 cfs
		Average	150 cfs
		Wet	340 cfs
Summer	55 cfs	Dry	84 cfs
		Average	120 cfs
		Wet	200 cfs

cfs = cubic feet per second

- B. Seasons are defined as follows: Winter (November through February), Spring (March through June), Summer (July through October).
- C. Owners shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in Paragraphs 5.C.(1) - (3) below.
 - 1. Owners shall determine the PHDI Index for a season based on the following formula:

$$(0.619 \times \text{North Central PHDI}) + (0.147 \times \text{East Texas PHDI}) + (0.057 \times \text{Edwards Plateau PHDI}) + (0.132 \times \text{South Central PHDI}) + (0.045 \times \text{Upper Coast PHDI})$$
 - 2. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:

Dry	Average	Wet
Less than -1.73	-1.73 - 2.13	Greater than 2.13

3. Owners may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly value PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.

Subsistence Flow Special Conditions and 50% Rule

- D. Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. if the average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is less than or equal to the applicable subsistence flow. The “average adjusted streamflow” at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The “adjusted streamflow” at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Owners. Unless informed otherwise by the Brazos Watermaster, Owners may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Owners under this water right equals adjusted streamflow.
- E. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable subsistence flow but less than the applicable base flow, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

- F. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable hydrologic condition, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable base flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.
- G. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the points authorized above in Paragraph 2. DIVERSION RATE and maintain measurement records.
- H. Owners shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.
- I. Owners shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.

- J. Owners shall contact the Brazos Watermaster prior to diversion of water authorized by this amendment.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the Certificate of Adjudication by the owners or seller at the time of the transaction.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate of Adjudication No. 12-2948, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

Owners agree to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

Date Issued:

Hal Bailey

From: Dubelza Galvan [REDACTED]
Sent: Thursday, June 29, 2023 2:49 PM
To: Hal Bailey
Cc: Sara Thornton; Lora Naismith; Bob George
Subject: Chester and Linda Dickson Application Nos. 12-2948B and 12-2949B to Amend ADJ 12-2948 and 12-2949 Response to Draft Notices and Permits

Good afternoon,

Please see attached a letter on behalf of Chester E. Dickson and Linda D. Dickson in regards to the above-referenced application and associated draft notices and permits.

Thanks,
Dubelza



DUBELZA GALVAN

Paralegal
512-322-5824 Direct
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, TX 78701
www.lglawfirm.com | 512-322-5800

***ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS SUBJECT TO THE OPEN MEETINGS ACT ***

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Sara Thornton's Direct Line: (512) 322-5876
Email: [REDACTED]

June 29, 2023

Mr. Hal E. Bailey
Water Rights Permitting Team (MC 160)
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
Hal.Bailey@tceq.texas.gov

VIA ELECTRONIC MAIL

Re: Chester E. Dickson and Linda D. Dickson
CN602436545, CN602436552, RN103984399, RN103928727
Application Nos. 12-2948B and 12-2949B to Amend Certificate of Adjudication Nos.
12-2948 and 12-2949
Texas Water Code § 11.122, Requiring Mailed and Published Notice

Dear Mr. Bailey:

This letter is submitted on behalf of my clients, Chester E. Dickson and Linda D. Dickson (the "Applicants"), with respect to the above-referenced application and associated draft public notices (the "Draft Notices") and draft permits ("Draft Permits") for Certificate of Adjudication Nos. 12-2948 and 12-2949 ("ADJ 2948" and "ADJ 2949") dated June 5, 2023. The Applicants offer the following comments and suggested changes to the Draft Notices and Draft Permits for the Texas Commission on Environmental Quality's consideration and use:

- 1. Please revise the Draft Notice, Page 1, Fifth Paragraph and the Draft Permit, Page 1, Fourth "WHEREAS" and Page 2, Paragraph 1 in both ADJ 2948 and ADJ 2949**

The deeds included in the application show that Warranty Deed Volume No. 2646 begins on page 121.

"Ownership of the land to be irrigated is evidenced by the following: Warranty Deed with Vendor's Lien recorded as Document No. 2017-50732; Warranty Deed recorded as Document No. 2017-00047551; Warranty Deed with Vendor's Lien recorded as Document No. 2007-00013394; Warranty Deed recorded as Volume No. 3547, Page 328; Warranty Deed recorded as Volume No. 3586, Page 18; Warranty Deed with Vendor's Lien recorded as Volume No. 2640, Page 197; Warranty Deed with Vendor's Lien recorded as Document No. 2009-00000113; Warranty Deed recorded as Volume No. 2735, Page 113; Warranty Deed recorded as Volume No. 2646, Page ~~122~~**121**; Warranty Deed with Vendor's Lien recorded as Volume No. 1874, Page 653; Warranty Deed recorded as Volume No. 2132, Page 774; Warranty Deed recorded as Volume No. 2763, Page 742; Warranty Deed recorded as Volume No. 2460, Page 708; Warranty Deed recorded as Volume No. 2262, Page 389; Warranty Deed recorded as Volume No. 1671, Page 635; Warranty Deed with Vendor's Lien recorded as Volume No. 2867, Page 579; Special Warranty Deed with Vendor's Lien recorded as Document No. 2018-36166; Special Warranty Deed recorded as Document No. 2018-36190;

June 29, 2023

Page 2

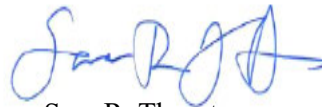
General Warranty Deed recorded as Document No. 2018-44877; and Warranty Deed recorded as Document No. 2014-00018631 in the official records of Bell County; and”

2. Please add the following language to the Draft Permits, Page 2, Paragraph 2 in both ADJ 2948 and ADJ 2949

“In **addition to lieu of** previous authorizations, Owners are authorized to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm), in combination with Certificate of Adjudication No. 12-2949 [12-2948].”

Thank you for your preparation of the Draft Permit packages. The Applicant requests the above-referenced changes to the Draft Permits and requests an edited version of these documents for our review prior to mailing notice of the applications. Should you have any questions regarding these comments, please do not hesitate to contact me or Lora Naismith (512-322-5850; [REDACTED]). Thank you for your assistance.

Sincerely,



Sara R. Thornton

SRT/dxg
8624263

cc: Mr. Bob George, *Dickson Ranch LLC*
Ms. Lora Naismith, *Lloyd Gosselink Rochelle & Townsend P.C.*

Hal Bailey

From: Hal Bailey
Sent: Wednesday, June 21, 2023 12:26 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Chester E. Dickson and Linda Diane Dickson Application No. 12-2948B Draft Amendment Review Extension
Attachments: Dickson_12_2948B_Draft_Permit_Extension_Letter_06.21.2023.pdf

Good afternoon Sara,

Attached is the extension approval letter for application no. 12-2948B. Per your request, an extension has been granted until June 30, 2023 to provide comments on the draft amendment and notice dated June 5, 2023. Please let me know if you have any questions.

Thank you,

*Hal E. Bailey, Jr.
Natural Resources Specialist III
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
512-239-4615 Hal.Bailey@tceq.texas.gov*

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

June 21, 2023

Ms. Sara R. Thornton
Lloyd Gosselink Rochelle & Townsend
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

VIA E-MAIL

RE: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County

Dear Ms. Thornton:

This acknowledges receipt, on June 19, 2023, of the applicant's request for an extension of time to respond to the Texas Commission on Environmental Quality's draft public notice and amendment, dated June 5, 2023.

An extension is granted until June 30, 2023. If you have any questions concerning this matter, please contact Hal Bailey, Jr. via e-mail at hal.bailey@tceq.texas.gov or by telephone at (512) 239-4615.

Sincerely,

A handwritten signature in black ink, appearing to read "Bert Galvan".

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

BG/hb

Hal Bailey

From: Dubelza Galvan [REDACTED]
Sent: Monday, June 19, 2023 11:23 AM
To: Hal Bailey
Cc: Sara Thornton; Lora Naismith; [REDACTED]
Subject: Chester and Linda Dickson - Application to Amend ADJ 12-2948 and ADJ 12-2949
Attachments: SRT to TCEQ re Draft Notice and Draft Permit of ADJ 2948 and ADJ 2949 2023.06.19.pdf

Good morning,

Please see attached a request for extension to provide comments on draft public notices and draft permits for ADJ 2948 and ADJ 2949.

Thanks,
Dubelza



DUBELZA GALVAN

Paralegal
512-322-5824 Direct
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, TX 78701
www.lglawfirm.com | 512-322-5800

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Sara Thornton's Direct Line: (512) 322-5876
Email [REDACTED]

June 19, 2023

Mr. Hal E. Bailey
Water Rights Permitting Team (MC 160)
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
Hal.Bailey@tceq.texas.gov

VIA ELECTRONIC MAIL

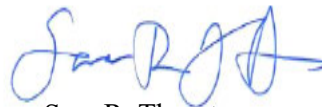
Re: Chester E. Dickson and Linda Diane Dickson
CN602436545, CN602436552, RN103984399
Application No. 12-2949B to Amend Certificate of Adjudication Nos.
12-2948 and 12-2949
Texas Water Code § 11.122, Requiring Mailed and Published Notice

Dear Mr. Bailey:

This letter is submitted on behalf of my clients, Chester E. Dickson and Linda Diane Dickson (the "Applicants"), in response to the draft public notices and draft permits ("Draft Permits") for Certificate of Adjudication Nos. 12-2948 and 12-2949 ("ADJ 2948" and "ADJ 2949") dated June 5, 2023. The Applicants at this time would like to request an extension on the review period for the Draft Permits of ADJ 2948 and ADJ 2949, extending the June 19, 2023 deadline to June 30, 2023.

Please do not hesitate to contact me or Lora Naismith (512-322-5850; [REDACTED]) if you have any questions or need additional information. Thank you for your assistance.

Sincerely,



Sara R. Thornton

SRT/dxg
8618295

cc: Mr. Bob George, *Dickson Ranch LLC*
Ms. Lora Naismith, *Lloyd Gosselink Rochelle & Townsend PC*

Hal Bailey

From: Hal Bailey
Sent: Monday, June 5, 2023 2:07 PM
To: Sara Thornton
Subject: Chester E. Dickson and Linda Diane Dickson Application No. 12-2948B Draft Amendment Package Applicant Review
Attachments: Dickson_12-2948B_Draft_Amendment_Package_06.05.2023.pdf

Good afternoon Sara,

Attached is the draft amendment package for application no. 12-2948B. Please review the drafts and provide any comments or edits by COB on 06/19/2023.

Please let me know if you have any questions.

Thank you,

*Hal E. Bailey, Jr.
Natural Resources Specialist III
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
512-239-4615 Hal.Bailey@tceq.texas.gov*

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 5, 2023

Ms. Sara R. Thornton
Lloyd Gosselink Rochelle & Townsend
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

VIA E-MAIL

RE: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County

Dear Ms. Thornton:

Drafts, subject to revision, of the public notice, proposed amendment to Certificate of Adjudication No. 12-2948, 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 June 19, 2023 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 30-day comment period and once the comment period has closed, the proposed amendment to Certificate of Adjudication No. 12-2948 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 hal.bailey@tceq.texas.gov or by telephone at (512) 239-4615.

Sincerely,

A handwritten signature in cursive script that reads "Hal E. Bailey, Jr.".

Hal E. Bailey, Jr., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 12-2948B

Chester E. Dickson and Linda Diane Dickson (Owners/ Applicants) seek an amendment to Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate from 2.23 cfs (1,000 gpm) to 6.69 cfs (3,000 gpm), and to add a place of use for agricultural purposes in Bell County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Chester E. Dickson and Linda Diane Dickson, 2699 Sparta Road, Belton, Texas 76513, have applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to a Certificate of Adjudication pursuant to Texas Water Code (TWC) § 11.122 and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, et seq. Mailed and published notice to water right holders of record in the Brazos River Basin is required pursuant to Title 30 TAC § 295.158(b)(2).

Certificate of Adjudication No. 12-2948 authorizes Owners to divert a total of 278 acre-feet of water per year from three points on Nolan Creek, tributary of the Leon River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County. The time priority of Owners' right is July 31, 1960.

Applicants seek to amend Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm) and to add a place of use for agricultural purposes to irrigate 785.947 acres out of a 785.947-acre tract in Bell County.

Ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 122; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County.

The application and fees were received on November 8, 2019. Additional information was received on March 13 and 16, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on April 27, 2020.

The Executive Director has 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, streamflow restrictions. 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.

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

PUBLIC COMMENT / PUBLIC MEETING. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. 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 within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

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 to 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 ADJ 2948 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO.	12-2948B	TYPE	§ 11.122
Owner:	Chester E. Dickson and Linda Diane Dickson	Address:	2699 Sparta Road Belton, Texas 76513
Filed:	April 27, 2020	Granted:	
Purpose:	Agricultural	County:	Bell
Watercourse:	Nolan Creek, tributary of the Leon River, tributary of the Little River, tributary of the Brazos River	Watershed:	Brazos River Basin

WHEREAS, Certificate of Adjudication No. 12-2948 authorizes Chester E. Dickson and Linda Diane Dickson (Owners/Applicants) to divert a total of 278 acre-feet of water per year from three points on Nolan Creek, tributary of the Leon River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County; and

WHEREAS, the time priority of Owners' right is July 31, 1960; and

WHEREAS, Applicants seek to amend Certificate of Adjudication No. 12-2948 to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm), and to add a place of use for agricultural purposes to irrigate 785.947 acres out of a 785.947-acre tract in Bell County; and

WHEREAS, ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 122; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with*

Vendor's Lien recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the Brazos Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 12-2948, designated Certificate of Adjudication No. 12-2948B, is issued to Chester E. Dickson and Linda Diane Dickson subject to the following terms and conditions:

1. USE

In addition to the previous authorizations, Owners are authorized to use the 278 acre-feet of water per year for agricultural purposes to irrigate a maximum of 785.947 acres out of a 785.947-acre tract in Bell County.

Ownership of the land to be irrigated is evidenced by the following: *Warranty Deed with Vendor's Lien* recorded as Document No. 2017-50732; *Warranty Deed* recorded as Document No. 2017-00047551; *Warranty Deed with Vendor's Lien* recorded as Document No. 2007-00013394; *Warranty Deed* recorded as Volume No. 3547, Page 328; *Warranty Deed* recorded as Volume No. 3586, Page 18; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2640, Page 197; *Warranty Deed with Vendor's Lien* recorded as Document No. 2009-00000113; *Warranty Deed* recorded as Volume No. 2735, Page 113; *Warranty Deed* recorded as Volume No. 2646, Page 122; *Warranty Deed with Vendor's Lien* recorded as Volume No. 1874, Page 653; *Warranty Deed* recorded as Volume No. 2132, Page 774; *Warranty Deed* recorded as Volume No. 2763, Page 742; *Warranty Deed* recorded as Volume No. 2460, Page 708; *Warranty Deed* recorded as Volume No. 2262, Page 389; *Warranty Deed* recorded as Volume No. 1671, Page 635; *Warranty Deed with Vendor's Lien* recorded as Volume No. 2867, Page 579; *Special Warranty Deed with Vendor's Lien* recorded as Document No. 2018-36166; *Special Warranty Deed* recorded as Document No. 2018-36190; *General Warranty Deed* recorded as Document No. 2018-44877; and *Warranty Deed* recorded as Document No. 2014-00018631 in the official records of Bell County.

2. DIVERSION RATE

In lieu of the previous authorization, Owners are authorized to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm), in combination with Certificate of Adjudication No. 12-2949.

3. CONSERVATION

Owners shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a

water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

4. TIME PRIORITY

- A. The authorization to divert at a maximum combined diversion rate of 2.23 cfs (1,000 gpm) has a time priority of July 31, 1960.
- B. The authorization to divert at a maximum combined diversion rate of 6.69 cfs (3,000 gpm) has a time priority of April 27, 2020.

5. SPECIAL CONDITIONS

- A. Any diversion of water at a combined maximum diversion rate of greater than 2.23 cfs (1,000 gpm), in combination with diversions authorized under Certificate of Adjudication No. 12-2949, shall be restricted based on the following streamflows at USGS Gage No. 08104500 - Little River near Little River, TX, as set forth in Paragraphs 5.B - 5.F. below.

Season	Subsistence	Hydrologic Condition	Base
Winter	55 cfs	Dry	82 cfs
		Average	110 cfs
		Wet	190 cfs
Spring	55 cfs	Dry	95 cfs
		Average	150 cfs
		Wet	340 cfs
Summer	55 cfs	Dry	84 cfs
		Average	120 cfs
		Wet	200 cfs

cfs = cubic feet per second

- B. Seasons are defined as follows: Winter (November through February), Spring (March through June), Summer (July through October).
- C. Owners shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in Paragraphs 5.C.(1) - (3) below.
 - 1. Owners shall determine the PHDI Index for a season based on the following formula:

$$(0.619 \times \text{North Central PHDI}) + (0.147 \times \text{East Texas PHDI}) + (0.057 \times \text{Edwards Plateau PHDI}) + (0.132 \times \text{South Central PHDI}) + (0.045 \times \text{Upper Coast PHDI})$$
 - 2. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:

Dry	Average	Wet
Less than -1.73	-1.73 - 2.13	Greater than 2.13

3. Owners may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly value PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.

Subsistence Flow Special Conditions and 50% Rule

- D. Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. if the average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is less than or equal to the applicable subsistence flow. The “average adjusted streamflow” at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The “adjusted streamflow” at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Owners. Unless informed otherwise by the Brazos Watermaster, Owners may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Owners under this water right equals adjusted streamflow.
- E. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable subsistence flow but less than the applicable base flow, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

- F. If average adjusted streamflow at USGS Gage No. 08104500 - Little River near Little River, TX is greater than the applicable hydrologic condition, Owners shall not divert water at the increased diversion rate, as described in Paragraph 5.B. in excess of the rate that would reduce average streamflow at the gage to the applicable base flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.
- G. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the points authorized above in Paragraph 2. DIVERSION RATE and maintain measurement records.
- H. Owners shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.
- I. Owners shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.

- J. Owners shall contact the Brazos Watermaster prior to diversion of water authorized by this amendment.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the Certificate of Adjudication by the owners or seller at the time of the transaction.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate of Adjudication No. 12-2948, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

Owners agree to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

Date Issued:

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Hal Bailey, Project Manager
Water Rights Permitting Team

Date: March 28, 2023

Through: ~~A~~ ^A Kathy Alexander, Ph.D., Policy and Technical Analyst
Water Availability Division

From: Alisa Patterson, P.E., Section Hydrologist
Water Rights Permitting & Availability Section

Subject: Chester E. and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552
Nolan Creek, Brazos River Basin
Bell County

Hydrology Review

Application Summary

Certificate of Adjudication No. 12-2948 (Certificate) authorizes Chester E. Dickson and Linda Diane Dickson (Applicants) to divert 278 acre-feet of water per year from three points on Nolan Creek, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County.

Applicants request to amend the Certificate to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm) and add a place of use to irrigate 785.947 acres of land out of 785.947 acres in Bell County.

The application was declared administratively complete on April 27, 2020.

Hydrology Review

Resource Protection Staff recommended that the application be subject to instream flow requirements. Specific instream flow requirements are included in the Resource Protection Staff's memorandum dated February 14, 2023.

TCEQ's environmental flow standards for the Brazos Basin in 30 TAC §298 Subchapter G (Brazos River and its Associated Bay and Estuary System) include a hydrologic condition (§298.470 Calculation of Hydrologic Conditions). The hydrologic condition is based on the Palmer Hydrologic Drought Index (PHDI) and the PHDI Index as defined in §298.455 (6) and (7). Based on §298.455 (4), the application is located in the Lower Basin. The Climate Divisions included in the Lower Basin are the North Central (Climate Division 3) East Texas (Climate Division 4), Edwards Plateau (Climate Division 6), South Central (Climate Division 7), and Upper Coast (Climate Division 8). The values for the PHDI Index for the Lower

Basin used to determine the hydrologic condition are calculated as follows (§298.470 (b)):

$(0.619 \times \text{North Central PHDI}) + (0.147 \times \text{East Texas PHDI}) + (0.057 \times \text{Edwards Plateau PHDI}) + (0.132 \times \text{South Central PHDI}) + (0.045 \times \text{Upper Coast PHDI})$

The determination of the hydrologic condition for a particular season shall be determined once per season. The PHDI value present on the last day of the month of the preceding season, as reported by the National Weather Service, and calculated for the geographic area as described in subsection (b) of the §298.470, will determine the hydrologic condition for the following season. The values for the PHDI are available at <http://www.ncdc.noaa.gov/cag/>. Under the adopted rules, PHDI values are based on the last day of the month before the start of a new season; however, final approved PHDI values for a month are typically available from the National Climatic Data Center (NCDC) near the middle of the following month. Therefore, in order to determine the hydrologic condition for a season, the latest published monthly value can be used on an interim basis until the final value for the month preceding the season is available. When the NCDC publishes the final value for the month preceding the season, the hydrologic condition applicable for the season can be updated if required.

The application does not request to increase the authorized diversion amount; therefore, a water availability analysis is not necessary. However, the application must be reviewed to ensure that the request does not affect other water rights. Increasing the diversion rate does not increase the authorized diversion amount. Therefore, other water rights should not be affected by the request. In addition, the application is subject to the requirements and orders of the Brazos Watermaster. The Watermaster actively manages water rights on a daily basis and protects senior water rights in times of shortage.

Conclusion

Staff can support granting the application provided the following special conditions are included in the permit:

1. Permittee shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in paragraphs 1.(a) – (c) below.
 - a. Permittee shall determine the PHDI Index for a season based on the following formula:

$(0.619 \times \text{North Central PHDI}) + (0.147 \times \text{East Texas PHDI}) + (0.057 \times \text{Edwards Plateau PHDI}) + (0.132 \times \text{South Central PHDI}) + (0.045 \times \text{Upper Coast PHDI})$

- b. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:

Dry	Average	Wet
Less than -1.73	-1.73 – 2.13	Greater than 2.13

- c. Permittee may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly value PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.
2. Permittee shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available for the Brazos Watermaster upon request.

Note that the application is subject to the requirements and orders of the Brazos Watermaster.

Alisa Patterson

Alisa Patterson, P.E., Section Hydrologist

Conclusion

Staff can support granting the application.

Alisa Patterson


Alisa Patterson, P.E., Section Hydrologist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Hal Bailey, Project Manager
Water Rights Permitting Team

Date: February 14, 2023

Through: Leslie Patterson, Team Leader 
Resource Protection Team

From: Kenneth Coonrod, Aquatic Scientist
Resource Protection Team

Subject: Chester E. and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552
Nolan Creek, Brazos River Basin
Bell 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

Certificate of Adjudication No. 12-2948 (Certificate) authorizes Chester E. Dickson and Linda Diane Dickson (Applicants) to divert 278 acre-feet of water per year from three points on Nolan Creek, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes in Bell County.

Applicants request to amend the Certificate to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm) and add a place of use in Bell County.

ENVIRONMENTAL ANALYSIS

On February 12, 2014, the TCEQ adopted environmental flow standards for the Brazos River and its Associated Bay and Estuary System (Title 30 Texas Administrative Code (TAC) Chapter 298 Subchapter G). These environmental flow standards are considered adequate to support a sound ecological environment (Title 30 TAC § 298.460).

The Applicants are requesting a new appropriation and therefore are subject to the adopted standards. This review is conducted in accordance with §11.147(e-3) of

the TWC and Title 30 TAC Chapter 298 Subchapter G (Brazos River and its Associated Bay and Estuary System). In Title 30 TAC § 298.480(13), environmental flow standards were established at United States Geological Survey (USGS) Gage No. 08104500 – Little River near Little River, TX, and the applicable environmental flow standards are shown in Table 1.

Table 1. Environmental Flow Standards at USGS Gage No. 08104500 – Little River near Little River, TX

Season	Subsistence	Hydrologic Condition	Base
Winter	55 cfs	Dry	82 cfs
		Average	110 cfs
		Wet	190 cfs
Spring	55 cfs	Dry	95 cfs
		Average	150 cfs
		Wet	340 cfs
Summer	55 cfs	Dry	84 cfs
		Average	120 cfs
		Wet	200 cfs

cfs = cubic feet per second

Base flow standards vary depending on the season and current hydrologic conditions. Seasons are defined in Title 30 TAC § 298.455 as follows: Winter (November through February), Spring (March through June), Summer (July through October). Hydrologic conditions will be addressed in the water availability analysis for this application.

No special conditions for high flow pulses are required because the proposed maximum diversion rate, 6.69 cfs, is less than 20% of the applicable pulse trigger level requirements of an applicable high flow pulse, as described in Title 30 TAC § 298.485(b).

Resource Protection staff recommend that diversion of water under this proposed amendment should be limited to comply with the applicable environmental flow standards.

RECOMMENDATIONS

Resource Protection staff recommend the following Special Conditions be included in the proposed amendment, if granted:

1. Owners 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).

2. Diversion of water shall be restricted based on the following streamflows at USGS Gage No. 08104500 – Little River near Little River, TX, as set forth in Special Conditions 3-6 below.

Season	Subsistence	Hydrologic Condition	Base
Winter	55 cfs	Dry	82 cfs
		Average	110 cfs
		Wet	190 cfs
Spring	55 cfs	Dry	95 cfs
		Average	150 cfs
		Wet	340 cfs
Summer	55 cfs	Dry	84 cfs
		Average	120 cfs
		Wet	200 cfs

cfs = cubic feet per second

3. Seasons are defined as follows: Winter (November through February), Spring (March through June), and Summer (July through October).

Subsistence Flow Special Conditions and 50% Rule

4. Owners shall not divert water if the average adjusted streamflow at USGS Gage No. 08104500 – Little River near Little River, TX is less than or equal to the applicable subsistence flow. The “average adjusted streamflow” at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The “adjusted streamflow” at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Owners. Unless informed otherwise by the Brazos Watermaster, Owners may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Owners under this water right equals adjusted streamflow.
5. If average adjusted streamflow at USGS Gage No. 08104500 – Little River near Little River, TX is greater than the applicable subsistence flow but less than the applicable base flow, Owners shall not divert in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

6. If average adjusted streamflow at USGS Gage No. 08104500 – Little River near Little River, TX is greater than the applicable hydrologic condition, Owners shall not divert in excess of the rate that would reduce average streamflow at the gage to the applicable base flow; provided, however, Owners are not required to adjust the diversion rate more frequently than once every 24 hours.

Kenneth Coonrod


Kenneth Coonrod, Aquatic Scientist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Hal Bailey, Project Manager
Water Rights Permitting Team

Date: February 13, 2023

Through: Leslie Patterson, Team Leader 
Resource Protection Team

From: Richard Schmoyer, Aquatic Scientist
Resource Protection Team

Subject: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545
Nolan Creek, Brazos River Basin
Bell County

APPLICATION SUMMARY

Certificate of Adjudication No. 12-2948 (Certificate) authorizes Chester E. Dickson and Linda Diane Dickson (Applicants) to divert 278 acre-feet of water per year from three points on Nolan Creek, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with Certificate of Adjudication No. 12-2949, for agricultural purposes to irrigate 156 acres of land out of a 236.33-acre tract in Bell County.

Applicants request to amend the Certificate to increase the maximum combined diversion rate to 6.69 cfs (3,000 gpm) and add a place of use to irrigate 785.947 acres of land out of 785.947 acres in Bell County.

WATER CONSERVATION REVIEW

Pursuant to Title 30 Texas Administrative Code (TAC) §295.9(4), applications requesting to change the place of use require the submittal of a water conservation plan.

The water conservation plan for agricultural use was reviewed by Resource Protection staff and found to be administratively complete per 30 TAC §288.4.

The application is consistent with the 2021 Region G Water Plan and the 2022 State Water Plan because there is nothing in the water plans that conflicts with issuing this proposed amendment.

RECOMMENDATIONS

The following water conservation language should be included in the proposed amendment, if granted:

Owner shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

Richard Schmoyer

Richard Schmoyer, Aquatic Scientist
Resource Protection Team

Hal Bailey

From: Sara Thornton [REDACTED]
Sent: Friday, March 31, 2023 3:02 PM
To: Hal Bailey
Subject: RE: Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B

Thanks Hal! Have a great weekend!



SARA THORNTON

Principal
512-322-5876 Direct
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, TX 78701
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***ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS SUBJECT TO THE OPEN MEETINGS ACT ***

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From: Hal Bailey <Hal.Bailey@tceq.texas.gov>
Sent: Friday, March 31, 2023 2:39 PM
To: Sara Thornton [REDACTED]
Subject: RE: Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B

Good afternoon Sara,

I'm definitely glad it's Friday! I hope you're well. There has been no change in the status of the Dickson applications. They're still in technical review. Please feel free to check back with me for another update.

Have a great weekend!

Best Regards,

*Hal E. Bailey, Jr.
Natural Resources Specialist III
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality*

From: Sara Thornton <[REDACTED]>
Sent: Friday, March 31, 2023 11:41 AM
To: Hal Bailey <Hal.Bailey@tceq.texas.gov>
Subject: RE: Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B

Hi Hal,

Hope you're not working too hard on a Friday! Could you please give me another update on these applications?

Thanks,

Sara



SARA THORNTON

Principal
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****ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS SUBJECT TO THE OPEN MEETINGS ACT ****

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From: Hal Bailey <Hal.Bailey@tceq.texas.gov>
Sent: Thursday, January 26, 2023 3:09 PM
To: Sara Thornton <[REDACTED]>
Subject: RE: Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B

Hi Sara,

I'm doing well and hope you are too. Both of the Dickson applications are currently still in technical review.

Please feel free to check back with me at any time for another update.

Have a great rest of your week!

Best Regards,

Hal E. Bailey, Jr.
Natural Resources Specialist III
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
512-239-4615 Hal.Bailey@tceq.texas.gov

From: Sara Thornton <[REDACTED]>
Sent: Thursday, January 26, 2023 1:09 PM
To: Hal Bailey <Hal.Bailey@tceq.texas.gov>
Subject: RE: Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B

Hi Hal,

Hope 2023 is going well for you so far! I was wondering if you could provide me a status update on the review and processing of the two applications for Chester E. Dickson and Linda Diane Dickson, Application Nos. 12-2948B and 12-2949B?

Thanks,

Sara



SARA THORNTON

Principal
512-322-5876 Direct
Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900, Austin, TX 78701
www.lglawfirm.com | 512-322-5800

****ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS SUBJECT TO THE OPEN MEETINGS ACT ****

A "REPLY TO ALL" OF THIS EMAIL COULD LEAD TO VIOLATIONS OF THE TEXAS OPEN MEETINGS ACT. PLEASE REPLY ONLY TO LEGAL COUNSEL.

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TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Hal E. Bailey, Jr., Project Manager
Water Rights Permitting Team

DATE: April 27, 2020

SUBJECT: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication
No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County

The application and fees were received on November 8, 2019. Additional information was received on March 13 and 16, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on April 27, 2020. Published and mailed notice to water right holders of record in the Brazos River Basin required pursuant to Title 30 Texas Administrative Code (TAC) § 295.151. All fees have been paid and the application is sufficient for filing.

Hal E. Bailey, Jr.

Hal E. Bailey, Jr., 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*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 27, 2020

Ms. Sara Thornton
Lloyd Gosselink Rochelle & Townsend
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

RE: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County

Dear Ms. Thornton:

This acknowledges receipt, on March 13 and 16, 2020, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on April 27, 2020. 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 hal.bailey@tceq.texas.gov or at (512) 239-4615.

Sincerely,

A handwritten signature in cursive script that reads "Hal E. Bailey, Jr.".

Hal E. Bailey, Jr., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section



RECEIVED

MAR 16 2020

816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532

www.lglawfirm.com

Ms. Thornton's Direct Line: (512) 322-5876

Water Availability Division

March 13, 2020

Mr. Hal Bailey Jr.
Water Rights Permitting Team (MC 160)
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

**VIA FIRST-CLASS MAIL
AND ELECTRONIC TRANSMISSION**

Re: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County (3274-0)

Dear Mr. Bailey:

This letter is submitted on behalf of my clients, Chester E. Dickson and Linda Diane Dickson (the "Applicants"), as a response to the Request for Information (the "RFI") that we received from the Texas Commission on Environmental Quality dated February 13, 2020, in connection with the above-referenced application.

Response to Request No. 1:

1. *Please review the attached map and confirm the diversion points are correctly identified.*

Diversion Point No. 1 is not correctly identified in the attached map. The correct Diversion Point No. 1 coordinates are as follows: 31.077495 N, -97.49642 W. Diversion Point Nos. 2 and 3 are correct. Please see **Exhibit A**, enclosed, for a map that includes the correct Diversion Point No. 1 coordinates. These coordinates for Diversion Point No. 1 are different than the coordinates originally submitted in the application because those coordinates were incorrect.

Response to Request No. 2:

2. *Provide a completed application listing Diane M. Dickson as a co-applicant or provide consent from Diane M. Dickson. Staff notes Diane M. Dickson is listed as part owner of*

March 13, 2020

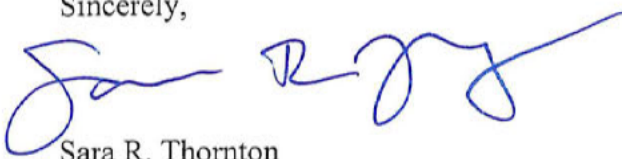
Page 2

the submitted Warranty Deeds, Property ID Nos. 346691, 419252, 29291, 29292, 29282, 29274, and 8672. Note, that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, consent of the application must be provided from all landowners not joining the application, pursuant to Title 30 Texas Administrative Code (TAC) §295.32(a)(5).

Linda D. Dickson, a co-applicant, is the same individual as Diane M. Dickson. Linda previously changed her name from Diane to Linda. Thus, Linda D. Dickson is the part owner of the submitted Warranty Deeds, Property ID Nos. 346691, 419252, 29291, 29292, 29282, 29274, and 8672.

On behalf of the Applicants, we trust this information is useful and affirmatively addresses the matters included in the RFI. If you have any questions, please do not hesitate to contact me at (512) 322-5876 or at [REDACTED]

Sincerely,



Sara R. Thornton

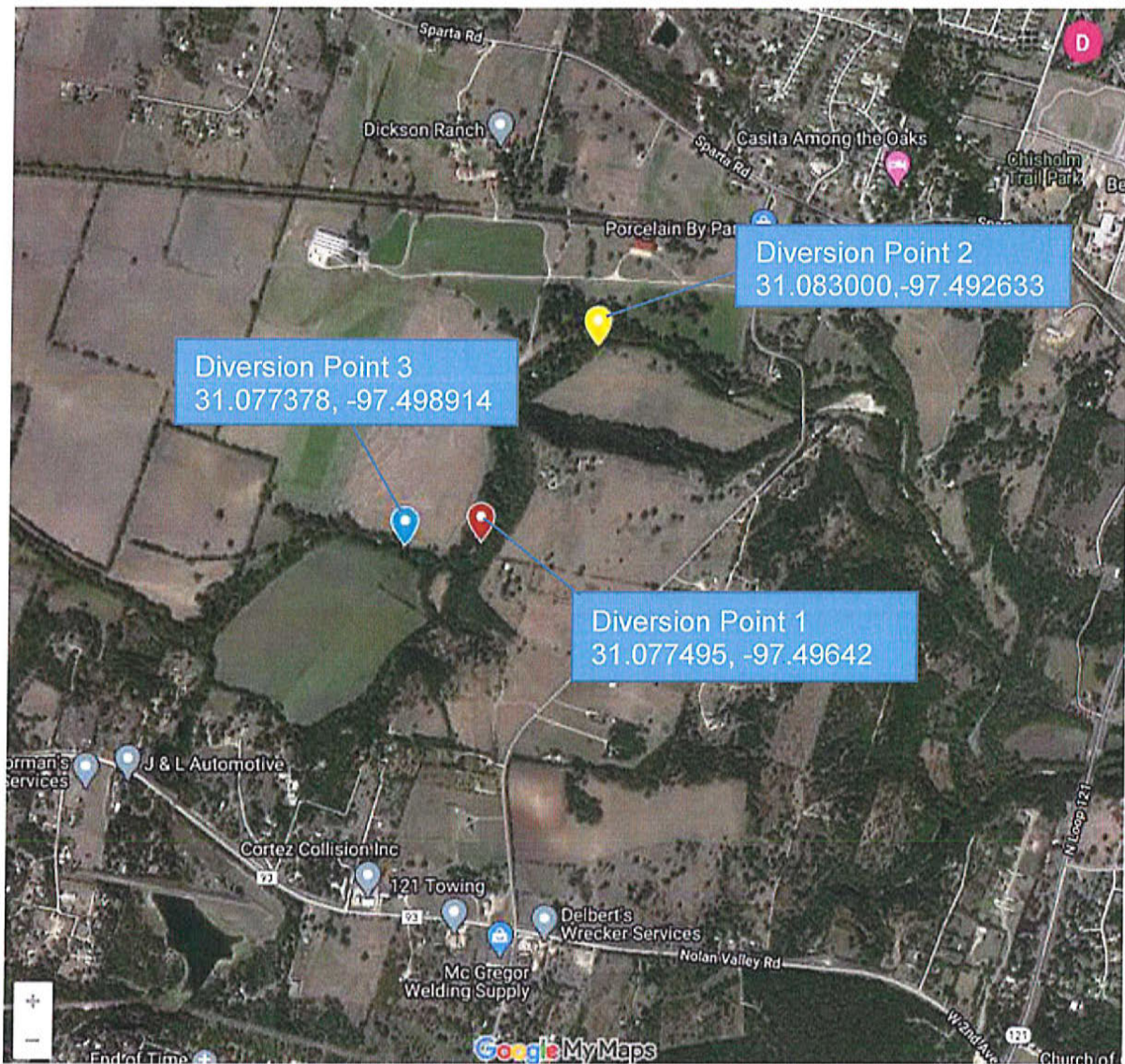
SRT/dmb

8013653

ENCLOSURES

cc: Mr. Bob George
Ms. Lauren C. Thomas

Exhibit A



Diversion Point 3
31.077378, -97.498914

Diversion Point 2
31.083000, -97.492633

Diversion Point 1
31.077495, -97.49642



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 13, 2020

Ms. Sara R. Thornton
Lloyd Gosselink Rochelle & Townsend
816 Congress Avenue, Suite 1900
Austin, Texas 78701-2478

CERTIFIED MAIL

9489 0090 0027 6002 9294 75

RE: Chester E. Dickson and Linda Diane Dickson
ADJ 2948
CN602436545, CN602436552, RN103984399
Application No. 12-2948B to Amend Certificate of Adjudication No. 12-2948
Texas Water Code § 11.122, Requiring Mailed and Published Notice
Nolan Creek, Brazos River Basin
Bell County

Dear Ms. Thornton:

This acknowledges receipt, on November 8, 2019, of the referenced application and fees in the amount of \$1,109.84 (Receipt No. M004750, copy enclosed).

Additional information is required before the application can be declared administratively complete.

1. Please review the attached map and confirm the diversion points are correctly identified.
2. Provide a completed application listing Diane M. Dickson as a co-applicant or provide consent from Diane M. Dickson. Staff notes Diane M. Dickson is listed as part owner of the submitted Warranty Deeds, Property ID Nos. 346691, 419252, 29291, 29292, 29282, 29274, and 8672. Note, that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, consent of the application must be provided from all landowners not joining the application, pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5).

Please provide the requested information and fees by March 16, 2020 or the application may be returned pursuant to 30 TAC § 281.18.

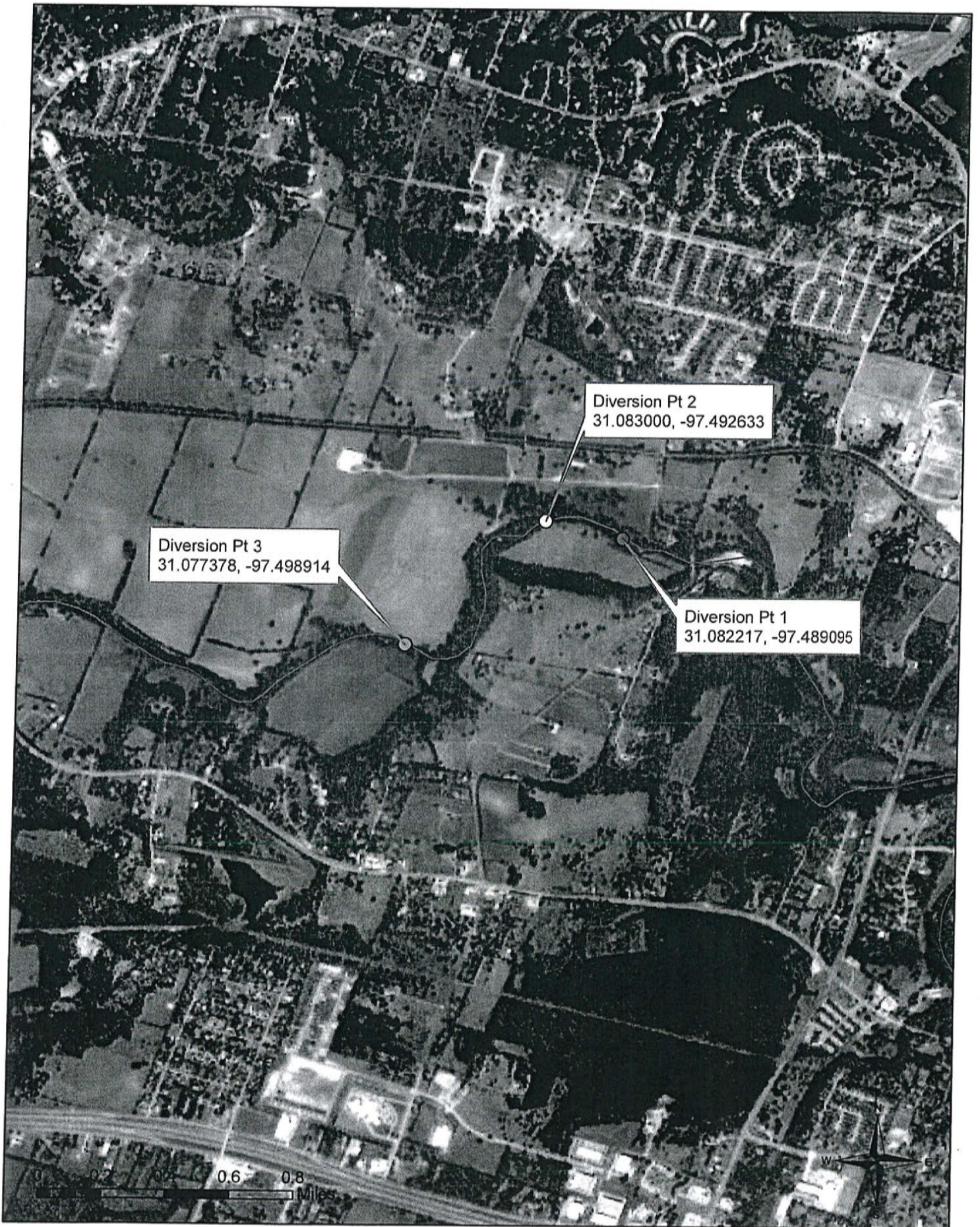
If you have any questions concerning this matter, please contact me via email at hal.bailey@tceq.texas.gov or by telephone at (512) 239-4615.

Sincerely,

A handwritten signature in cursive script that reads "Hal E. Bailey, Jr.".

Hal E. Bailey, Jr., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Enclosures



Diversion Pt 2
31.083000, -97.492633

Diversion Pt 3
31.077378, -97.498914

Diversion Pt 1
31.082217, -97.489095

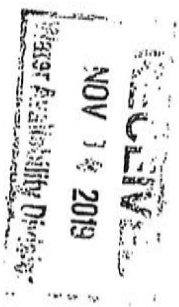
0 0.2 0.4 0.6 0.8 Miles





TCEQ 13-NOV-19 09:06 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER



Fee Description	Fee Code	Account#	Account Name	Ref#1	Ref#2	Check Number	Card Auth.	CC TYPE	Tran Code	Slip Key	Document#	Tran Date	Tran Amount
				Paid In By	User Data	Rec Code							
WTR USE PERMITS	WUP			M004748	109					BS00076576	D0801395	13-NOV-19	-\$100.00
	WUP			5321	111219					BS00076576	D0801395	13-NOV-19	-\$100.00
	WUP			SISTER	VHERNAND	CK							
	WUP			CREEK RANCH									
	WUP			LLC									
	WUP			M004749	6439					BS00076576	D0801395	13-NOV-19	-\$100.00
	WUP			111219									
	WUP			MORGAN,	VHERNAND	CK							
	WUP			ELISABETH X									
	WUP			M004750	37486					BS00076576	D0801395	13-NOV-19	-\$1,109.84
	WUP			ADJ2948	111219								
	WUP			LLOYD	VHERNAND	CK							
	WUP			GOSSELINK									
	WUP			ROCHELLE &									
	WUP			TOWNSEND PC									
	WUP			M004751	37485					BS00076576	D0801395	13-NOV-19	-\$1,109.84
	WUP			ADJ2949	111219								
	WUP			LLOYD	VHERNAND	CK							
	WUP			GOSSELINK									
	WUP			ROCHELLE &									
	WUP			TOWNSEND PC									

Ms. Thornton's Direct Line: (512) 322-5876
[REDACTED]

November 8, 2019

Ms. Amy Settemeyer (MC 160)
Water Rights Permitting and Availability, Manager
Texas Commission on Environmental Quality
Building F, Room 3101
12100 Park 35 Circle
Austin, Texas 78753

**VIA HAND DELIVERY
AND ELECTRONIC
TRANSMISSION**

Re: Application for an Amendment to Certificate of Adjudication 12-2948A
Pursuant to Texas Water Code § 11.122
Chester E. and Linda D. Dickson (3274-00)

Dear Amy,

Please find enclosed (1) original and six (6) copies of an application to amend Certificate of Adjudication 12-2948A (the "Application") filed on behalf of my client, Mr. Chester E. Dickson and Mrs. Linda D. Dickson. Attached is my firm's check in the amount of \$1,109.84 submitted as payment for the Application fees. On behalf of the Dickson's, please consider me your contact for processing this Application.

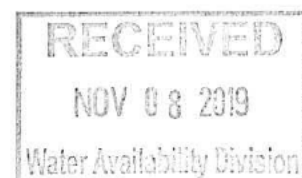
We look forward to working with you and your staff in processing this Application. Should you have any questions or concerns, do not hesitate to contact me at your convenience.

Sincerely,

Sara Thornton
Sara Thornton /elt

SRT/dmb
Enclosures

cc: Mr. Bob George
Ms. Lauren C. Thomas



Texas Commission on Environmental Quality

Application for an Amendment to

Certificate of Adjudication 12-2948A

Chester E. and Linda Diane Dickson



**TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY**

November 2019

Texas Commission on Environmental Quality

Application for an Amendment to

Certificate of Adjudication 12-2948A

Chester E. and Linda Diane Dickson

Submitted to:

Texas Commission on Environmental Quality
Water Supply Division, Water Rights Permitting (MC-160)
12100 Park 35 Circle
Austin, Texas 78753

Prepared for:

Chester E. and Linda Diane Dickson
2699 Sparta Road
Belton, Texas 76513

Prepared by:

Lloyd Gosselink Rochelle & Townsend, P.C.
816 Congress Ave., Suite 1900
Austin, Texas 78701

**Chester E. and Linda Diane Dickson Application to
Amend Certificate of Adjudication 12-2948A**

<u>CONTENTS</u>	<u>TAB NUMBER</u>
Administrative Report -----	1
Technical Report -----	2
Worksheets 1.0-8.0-----	3
Attachments:	
1 Addendum: Summary of Request -----	4
2 Certificate of Adjudication No. 12-2948, as amended-----	5
3 Certificate of Adjudication No. 12-2949, as amended-----	6
4 Addendum: Marshall Criteria-----	7
5 Project Map -----	8
6 Original Photographs-----	9
7 Plat Map of Dickson Ranch -----	10
8 Table of Properties and Recorded Deeds for Irrigated Land-----	11
9 System Inventory and Water Conservation Plan -----	12
10 Copy of Check-----	13

TAB 1

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

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

APPLICANT(S): Chester E. Dickson and Linda Diane Dickson

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

<u>Y</u> /N		<u>Y</u> /N	
<u>Y</u>	Administrative Information Report	<u>Y</u>	Worksheet 3.0
<u>Y</u>	Additional Co-Applicant Information	<u>Y</u>	Additional W.S 3.0 for each Point
<u>Y</u>	Additional Co-Applicant Signature Pages	<u>Y</u>	Recorded Deeds for Diversion Points
<u>N</u>	Written Evidence of Signature Authority	<u>N</u>	Consent For Diversion Access
<u>Y</u>	Technical Information Report	<u>N</u>	Worksheet 4.0
<u>N</u>	USGS Map (or equivalent)	<u>N</u>	TPDES Permit(s)
<u>Y</u>	Map Showing Project Details	<u>N</u>	WWTP Discharge Data
<u>Y</u>	Original Photographs	<u>N</u>	24-hour Pump Test
<u>N</u>	Water Availability Analysis	<u>N</u>	Groundwater Well Permit
<u>Y</u>	Worksheet 1.0	<u>N</u>	Signed Water Supply Contract
<u>Y</u>	Recorded Deeds for Irrigated Land	<u>N</u>	Worksheet 4.1
<u>N</u>	Consent For Irrigation Land	<u>N</u>	Worksheet 5.0
<u>N</u>	Worksheet 1.1	<u>N</u>	Addendum to Worksheet 5.0
<u>N</u>	Addendum to Worksheet 1.1	<u>Y</u>	Worksheet 6.0
<u>Y</u>	Worksheet 1.2	<u>Y</u>	Water Conservation Plan(s)
<u>Y</u>	Addendum to Worksheet 1.2	<u>N</u>	Drought Contingency Plan(s)
<u>N</u>	Worksheet 2.0	<u>N</u>	Documentation of Adoption
<u>N</u>	Additional W.S 2.0 for Each Reservoir	<u>N</u>	Worksheet 7.0
<u>N</u>	Dam Safety Documents	<u>N</u>	Accounting Plan
<u>N</u>	Notice(s) to Governing Bodies	<u>Y</u>	Worksheet 8.0
<u>N</u>	Recorded Deeds for Inundated Land	<u>Y</u>	Fees
<u>N</u>	Consent For Inundation Land		

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

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NOV 08 2019

Water Availability Division

ADMINISTRATIVE INFORMATION REPORT

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

*****Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4691.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

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

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

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

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

See Attachment 1 (Tab 4)-Addendum: Summary of Request

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

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

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

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

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?
You may search for your CN on the TCEQ website at
<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN: 602436545 (leave blank if you do not yet have a CN).

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

First/Last Name: Chester E. Dickson

Title: Co-Owner/Co-Applicant

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

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at
<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: Chester E. Dickson

Mailing Address: 2699 Sparta Road

City: Belton

State: Texas

ZIP Code: 76513

Indicate an X next to the type of Applicant:

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

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: N/A SOS Charter (filing) Number: N/A

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

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

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

Linda Diane Dickson

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

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?

You may search for your CN on the TCEQ website at

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

CN : 602436552 (leave blank if you do not yet have a CN).

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

First/Last Name: Linda D. Dickson

Title: Co-Owner/Co-Applicant

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

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

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

Name: Linda D. Dickson

Mailing Address: 2699 Sparta Road

City: Belton

State: Texas

ZIP Code: 76513

Indicate an X next to the type of Applicant:

- Individual
- Partnership
- Trust
- Federal Government
- County Government
- Other Government
- Sole Proprietorship-D.B.A.
- Corporation
- Estate
- State Government
- City Government
- Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: N/A SOS Charter (filing) Number: N/A

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

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

First and Last Name: Sara R. Thornton

Title: Attorney

Organization Name: Lloyd Gosselink Rochelle & Townsend

Mailing Address: 816 Congress Ave Ste 1900

City: Austin

State: Texas

ZIP Code: 78701

Phone No.: (512) 322-5876

Extension:

Fax No.: (512) 472-0532

E-mail Address: 

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

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

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

First and Last Name: Chester and Linda Dickson

Title: Co-Owners/Co-Applicants

Organization Name:

Mailing Address: 2699 Sparta Road

City: Belton

State: Texas

ZIP Code: 76513

Phone No.: (713) 301-3990

Extension:

Fax No.:

E-mail Address: [REDACTED]

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4691, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No** No

If **yes**, provide the following information:

Account number: N/A

Amount past due: N/A

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No** No

If **yes**, please provide the following information:

Enforcement order number: N/A

Amount past due: N/A

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

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No** N/A

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

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Chester E. Dickson

Co-Owner/Co-Applicant

(Typed or printed name)

(Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: Chester E. Dickson

Date: 10-15-19

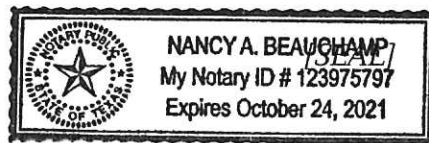
(Use blue ink)

Subscribed and Sworn to before me by the said

on this 15th day of October, 2019.

My commission expires on the 24th day of October, 2021.

Nancy Beauchamp
Notary Public



Harris
County, Texas

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Linda D. Dickson
(Typed or printed name)

Co-Owner/Co-Applicant
(Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: Linda D. Dickson Date: 10/15/19
(Use blue ink)

Subscribed and Sworn to before me by the said

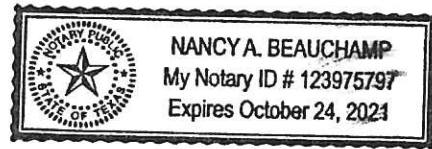
on this 15th day of October, 2019.

My commission expires on the 24th day of October, 2021

Nancy Beauchamp
Notary Public

[SEAL]

Warrick
County, Texas



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

TAB 2

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

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

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4691 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N Y (If yes, date : September 30, 2019).

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

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

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N No
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N Yes (If yes, indicate the Certificate or Permit number: 12-2948A)

If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? No Y / N

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

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

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

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

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

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

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 12-2948A

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

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

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

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

- b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N No

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

- c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N Yes
If yes, submit:

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

- d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N Yes

If yes, submit: Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N No

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

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N No *If yes, call the Water Availability Division at (512) 239-4691 to discuss.*

Additionally, all amendments require:

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

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

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

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

1. Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or
2. Seller must amend its underlying water right under Section 2.

- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / N

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

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

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

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

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

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

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

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

Worksheets and information:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- **Worksheet 4.0 – Discharge Information Worksheet** (for each discharge point)
- **Worksheet 5.0 – Environmental Information Worksheet**
- **Worksheet 6.0 – Water Conservation Information Worksheet**
- **Worksheet 7.0 – Accounting Plan Information Worksheet**
- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

4. General Information, Response Required for all Water Right Applications (Instructions, Page 15)

- a. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled "Addendum Regarding the State and Regional Water Plans":

See Attachment 4 (Tab 7)-Addendum: Marshall Criteria

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

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

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

TAB 3

WORKSHEET 1.0

Quantity, Purpose and Place of Use

N/A

1. New Authorizations (Instructions, Page. 16)

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

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

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

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

1. Location Information Regarding the Lands to be Irrigated

- i) Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.
- ii) Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.

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

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

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

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

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

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
278	Irrigation	Irrigation	156 acres out of 236.33 acres in Bell County	785.947 acres out of 785.947 acres in Bell County (see Attachments 7 (tab 10) and 8 (tab 11)).

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

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

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

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
- i) Applicant proposes to irrigate a total of 785.947 acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of 785.947 acres in Bell _____ County, TX.
 - ii) Location of land to be irrigated: In the Lewis Walker _____ Original Survey No. N/A, Abstract No. 860.
A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.
- Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.***
- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

See
Attachment
8 (Tab 11)

WORKSHEET 1.1
INTERBASIN TRANSFERS, TWC § 11.085

N/A

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

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

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

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

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

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

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

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

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

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

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- (f) proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- (g) the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

WORKSHEET 1.2 NOTICE. "THE MARSHALL CRITERIA"

See
Attachment 4
(Tab 7)

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

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

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

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

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

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

- e. State Water Plan. Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0

Impoundment/Dam Information

N/A

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

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

1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: _____
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: _____.
- c. The impoundment is on-channel _____ or off-channel _____ (mark one)
 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N
 - i. For already constructed **on-channel** structures:
 1. Date of Construction: _____
 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N
 - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
 - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N
 - a. If yes, provide the Site No. _____ and watershed project name _____;
 - b. Authorization to close "ports" in the service spillway requested? Y / N
 - ii. For **any** proposed new structures or modifications to structures:
 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N
Provide the date and the name of the Staff Person _____
 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
 - a. No additional dam safety documents required with the Application. Y / N
 - b. Plans (with engineer's seal) for the structure required. Y / N
 - c. Engineer's signed and sealed hazard classification required. Y / N
 - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N
- iii. Additional information required for **on-channel** storage:
1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:_____.
 2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.
Applicant has calculated the drainage area. Y/N
If yes, the drainage area is_____ sq. miles.
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):_____
- b. Zip Code: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
** A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.*
***If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.*
- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

- a. This Worksheet is to add new (select 1 of 3 below):
1. 1 (existing) Diversion Point No.
 2. N/A Upstream Limit of Diversion Reach No.
 3. N/A Downstream Limit of Diversion Reach No.
- b. Maximum Rate of Diversion for **this new point** N/A cfs (cubic feet per second) or N/A gpm (gallons per minute)
- c. Does this point share a diversion rate with other points? **Y / N** Yes
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* 2.23/6.69 cfs or 1,000/3,000 gpm
- d. For amendments, is Applicant seeking to increase combined diversion rate? **Y / N** Yes

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

- e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
X	Directly from stream	Existing
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

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

Applicant has calculated the drainage area. **Y / N** No

If yes, the drainage area is N/A sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4691, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Nolan Creek
- b. Zip Code: 76513
- c. Location of point: In the Lewis Walker Original Survey No. N/A, Abstract No. 860, Bell _____ County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 31.082217 °N, Longitude 97.489095 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Handheld GPS Device
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.
N/A

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

- a. This Worksheet is to add new (select 1 of 3 below):
1. 2 (existing) Diversion Point No.
 2. N/A Upstream Limit of Diversion Reach No.
 3. N/A Downstream Limit of Diversion Reach No.
- b. Maximum Rate of Diversion for **this new point** N/A cfs (cubic feet per second) or N/A gpm (gallons per minute)
- c. Does this point share a diversion rate with other points? **Y / N** Yes
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* 2.23/6.69 cfs or 1,000/3,000 gpm
- d. For amendments, is Applicant seeking to increase combined diversion rate? **Y / N** Yes

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

- e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
X	Directly from stream	Existing
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

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

Applicant has calculated the drainage area. **Y / N** No

If yes, the drainage area is N/A sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4691, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Nolan Creek
- b. Zip Code: 76513
- c. Location of point: In the Lewis Walker Original Survey No. N/A, Abstract No. 860, Bell County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 31.083000 °N, Longitude 97.492633 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Handheld GPS Device
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.
N/A

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

- a. This Worksheet is to add new (select 1 of 3 below):
1. 3 (existing) Diversion Point No.
 2. N/A Upstream Limit of Diversion Reach No.
 3. N/A Downstream Limit of Diversion Reach No.
- b. Maximum Rate of Diversion for **this new point** N/A cfs (cubic feet per second) or N/A gpm (gallons per minute)
- c. Does this point share a diversion rate with other points? **Y / N** Yes
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* 2.23/6.69 cfs or 1,000/3,000 gpm
- d. For amendments, is Applicant seeking to increase combined diversion rate? **Y / N** Yes

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

- e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
X	Directly from stream	Existing
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

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

Applicant has calculated the drainage area. **Y / N** N

If yes, the drainage area is N/A sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4691, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Nolan Creek
- b. Zip Code: 76513
- c. Location of point: In the Lewis Walker Original Survey No. N/A, Abstract No. 860, Bell _____ County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 31.077378 °N, Longitude 97.498914 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Handheld GPS Device
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.
N/A

**WORKSHEET 4.0
DISCHARGE INFORMATION**

N/A

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

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

Is the source of the discharged water return flows? Y / N If yes, provide the following information:

- 1. The TPDES Permit Number(s). _____ (attach a copy of the **current** TPDES permit(s))
- 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N

PLEASE NOTE: If Applicant is not the discharger of the return flows, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, then the application should be submitted under Section 3, Bed and Banks.

- 3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
- 4. The percentage of return flows from groundwater _____, surface water _____?
- 5. If any percentage is surface water, provide the base water right number(s) _____.
- c. Is the source of the water being discharged groundwater? Y / N If yes, provide the following information:
 - 1. Source aquifer(s) from which water will be pumped: _____
 - 2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers _____.
 - 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 - 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- ci. Is the source of the water being discharged a surface water supply contract? Y / N
If yes, provide the signed contract(s).
- cii. Identify any other source of the water _____

**WORKSHEET 4.1
DISCHARGE POINT INFORMATION**

N/A

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

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____cfs or _____gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code: _____
- f. Location of point: In the _____Original Survey No. _____, Abstract No. _____, _____County, Texas.
- g. Point is at:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program):_____

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

WORKSHEET 5.0
ENVIRONMENTAL INFORMATION

N/A

This worksheet is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins. The worksheet is also required in all basins for: requests to change a diversion point, applications using an alternate source of water, and bed and banks applications. **Instructions, Page 28.**

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: _____

Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- Wilderness: outstanding natural beauty; usually wooded or ungrazed area; water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- Primary contact recreation (swimming or direct contact with water)
- Secondary contact recreation (fishing, canoeing, or limited contact with water)
- Non-contact recreation

Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the map submitted with the application indicating the location of the photograph and the direction of the shot.
2. Measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).
3. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

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

For all bed and banks applications:

- a. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

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

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4691, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

- a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):
 1. Request for a new appropriation or use of State Water.
 2. Request to amend water right to increase appropriation of State Water.
 3. Request to amend water right to extend a term.
 4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
 5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
 6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water
**including return flows, contract water, or other State Water.*
- b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:
 1. ___ Municipal Use. See 30 TAC § 288.2. **
 2. ___ Industrial or Mining Use. See 30 TAC § 288.3.
 3. Agricultural Use, including irrigation. See 30 TAC § 288.4.
 4. ___ Wholesale Water Suppliers. See 30 TAC § 288.5. **

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

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

appropriation; and evaluates any other feasible alternative to new water development.
See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N

2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
1. ____Municipal Uses by public water suppliers. See 30 TAC § 288.20.
 2. ____Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21. N/A
 3. ____Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc. See 30 TAC § 288.30*) Y / N N/A

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

N/A

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4691 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

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

2. Accounting Plan Requirements

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

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

b. A **spreadsheet** that includes:

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

WORKSHEET 8.0 CALCULATION OF FEES

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

1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	N/A
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	N/A
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	N/A
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	N/A
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	N/A
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4691.	N/A
TOTAL		\$ N/A

2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100 OR Sever and Combine: \$100 x ___of water rights to combine	100.00 N/A
Recording Fee		\$12.50
Mailed Notice		\$997.34
TOTAL INCLUDED		\$ 1,109.84

3. BED AND BANKS

	Description	Amount (\$)
Filing Fee		\$100.00
Recording Fee		\$12.50
Mailed Notice		
TOTAL INCLUDED		\$ N/A

TAB 4

ATTACHMENT 1 (TAB 4)

ADDENDUM: SUMMARY OF REQUEST

Chester E. Dickson and Linda D. Dickson (“Applicants”) are the owners of Certificates of Adjudication Nos. 12-2948, as amended (“ADJ No. 12-2948”) and 12-2949, as amended (“ADJ No. 12-2949”) in the Brazos River Basin (collectively, the “Water Rights”). ADJ No. 12-2948 currently authorizes Applicants to divert and use 278 acre-feet of water per year at a maximum combined diversion rate of 2.23 cubic feet per second (“cfs”) (1,000 gallons per minute (“gpm”)) in combination with ADJ No. 12-2949 for agricultural purposes to irrigate a maximum of 156 acres out of a 236.33-acre tract in Bell County, Texas, as more specifically described in the permit. ADJ No. 12-2948 is attached hereto as Attachment 2 (Tab 5). ADJ No. 12-2949 currently authorizes Applicants to divert and use 37 acre-feet of water per year at a combined maximum diversion rate of 2.23 cfs (1,000 gpm) in combination with ADJ No. 12-2948 for agricultural purposes to irrigate a maximum of 22 acres out of a 46.187-acre tract in Bell County, Texas, as more specifically described in the permit. ADJ No. 12-2949 is attached hereto as Attachment 3 (Tab 6).

By this application, Applicants seek to increase the maximum combined diversion rate of the Water Rights from 2.23 cfs (1,000 gpm) to 6.69 cfs (3,000 gpm) to allow for diversion from all three (3) currently-authorized diversion points (“Diversion Points”) for the total 315 acre-feet of water authorized by the Water Rights. Applicants also seek to amend the Water Rights to add acreage to the place of use for irrigation on tracts of land adjacent to and nearby the land currently authorized in the Water Rights for agricultural use of appropriated water (*see Attachment 7 (Tab 10): Plat Map of Dickson Ranch*). Applicants seek to irrigate a total of 785.947 acres of land out of 785.947 total acres, said total acreage being located in Bell County, Texas, more specifically

described by metes and bounds in the recorded deeds attached hereto as Attachment 8 (Tab 11). The 785.947-acreage total is comprised of both acreage proposed for irrigation and existing acreage upon which Applicants currently irrigate (*see* Attachment 8 (Tab 11), for the Table of Properties and Recorded Deeds for Irrigated Land, indicating the existing tracts of property associated with irrigation acreage for Map Nos. 22 and 23). Applicants do not seek to increase the volume of water authorized for diversion and use pursuant to the Water Rights nor do applicants seek to alter the three currently-authorized Diversion Points. Rather, Applicants instead seek authorization to divert the same volume of water at an increased maximum combined diversion rate in order to enable more efficient use of water resources for irrigation. The increased maximum combined diversion rate will allow Applicants to divert from the existing Diversion Points at more strategic times in order to decrease evaporative losses from irrigation and thereby increase conservation of its water resources. Provision of the requested increase in the maximum combined diversion rate will allow more flexibility for Applicants to manage the irrigation schedule, including by irrigating at night to minimize evaporative losses that would otherwise occur during irrigation in daytime hours.

TAB 5

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 12-2948 OWNERS: Kenneth G. Haynes & wife,
Bobbie Haynes and
Gerald R. Neumann & wife,
Ann B. Neumann
1337 Virginia Court
Anchorage, Alaska 99501

COUNTY: Bell

PRIORITY DATE: July 31, 1960

WATERCOURSE: Nolan Creek, tributary
of Leon River, tributary
of Little River, tributary
of Brazos River

BASIN: Brazos River

WHEREAS, by final decree of the 33rd Judicial District Court of Burnet County, Texas, in Cause No. 8987, In Re: The Adjudication of Water Rights in the Lower Leon River Segment of the Brazos River Basin dated January 7, 1983, a right was recognized under Claim 1964 authorizing Kenneth G. Haynes & wife, Bobbie Haynes, and Gerald R. Neumann & wife, Ann B. Neumann, to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Brazos River Basin is issued to Kenneth G. Haynes & wife, Bobbie Haynes and Gerald R. Neumann & wife, Ann B. Neumann, subject to the following terms and conditions:

1. USE

Owners are authorized to divert and use not to exceed 278 acre-feet of water per annum from Nolan Creek to irrigate a maximum of 156 acres of land out of a 236.33 acre tract located in the Lewis Walker Survey, Abstract 860, Bell County, Texas, said 236.33 acre tract being described as follows:

- (1) BEGINNING at a point in the south right-of-way line of the G. C. & S. F. Ry. Co. that bears S 19°W, 102.63 feet to a post being the southeast corner of that certain 241.7 acre tract described as the 4th tract in deed from Guy R. Mabee to Mrs. Troy Casey Manning, et al in Deed Records, Vol. 961, Page 349, Bell County, Texas;
- (2) THENCE S 84°0'30"E, 2980.95 feet along the south right-of-way of said railroad to a point for the northeast corner of this tract;
- (3) THENCE S 3°40'32"W, 1195.5 feet to the center of Nolan Creek;
- (4) THENCE up the creek with its meanders following its center line thus: S 40°59'5"W, 377.89 feet; S 64°37'38"W, 222.47 feet; N 81°57'26"W, 302.55 feet; S 54°32'59"W, 315.66 feet; S 2°15'49"E, 950.16 feet; S 6°36'37"W, 249.77 feet; S 28°51'2"W, 592.47 feet; S 81°5'33"W, 433.42 feet; N 58°16'50"W, 494.16 feet; N 76°58'W, 466.74 feet; S 84°7'43"W, 356.9 feet and S 52°36'46"W, 1077.8 feet;
- (5) THENCE N 18°31'47"E, 1510.22 feet to an interior corner;
- (6) THENCE N 71°17'52"W, 668.76 feet to a corner;
- (7) THENCE N 18°35'46"E, 2605.49 feet to the place of beginning.

2. DIVERSION

A. Location:

At a point on Nolan Creek in the Lewis Walker Survey, Abstract 860, Bell County, Texas.

B. Maximum rate in combination with owner of Certificate of Adjudication 12-2949 is 2.23 cfs (1000 gpm).

3. PRIORITY

The time priority of owners' right is July 31, 1960.

The locations of pertinent features related to this certificate are shown on Page 3 of the Lower Leon River Segment Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources, Austin, Texas, and the office of the County Clerk.


This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 33rd Judicial District Court of Burnet County, Texas, in Cause No. 8987, In Re: The Adjudication of Water Rights in the Lower Leon River Segment of the Brazos River Basin, dated January 7, 1983, and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Brazos River Basin.

This certificate of adjudication is issued subject to the Rules of the Texas Department of Water Resources and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the water right owned by the owner or seller at the time of the transaction.


TEXAS WATER COMMISSION


Paul Hopkins, Chairman

DATE ISSUED:

APR 30 1984

ATTEST:


Mary Ann Hefner, Chief Clerk

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



THE STATE OF TEXAS
COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOCUMENT, WHICH IS FILED IN THE PERMANENT RECORDS

MAR 22 2018

OF THE COMMISSION, GIVEN UNDER MY HAND AND THE
SEAL OF OFFICE ON

Bridget C. Bohan
BRIDGET C. BOHAN, CHIEF CLERK
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AMENDMENT TO A CERTIFICATE OF ADJUDICATION

Certificate No. 12-2948A

Type: § 11.122

Owner: Chester E. Dickson &
Linda Diane Dickson

Address: 24 West River Crest
Houston, Texas 77042

Filed: May 9, 2013

Granted: March 13, 2018

Purpose: Agriculture

County: Bell

Watercourse: Nolan Creek, tributary of Leon
River, tributary of Little River,
tributary of Brazos River

Watershed: Brazos River Basin

WHEREAS, Certificate of Adjudication No. 12-2948 authorizes Chester E. Dickson and Linda Diane Dickson, (Owners/Applicants), to divert and use not to exceed 278 acre-feet of water per year from a point on Nolan Creek, tributary of Leon River, tributary of Little River, tributary of Brazos River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm) for agricultural purposes to irrigate a maximum of 156 acres out of a 236.33-acre tract in Bell County, Texas; and

WHEREAS, the time priority of this right is July 31, 1960; and

WHEREAS, Applicants seek to amend Certificate of Adjudication No. 12-2948 to add two diversion points on Nolan Creek, Brazos River Basin in Bell County; and

WHEREAS, a proposed diversion point is located approximately 2.4 miles west of the nearby town of Belton, Texas at Latitude 31.083000° N, Longitude 97.492633° W, Bell County, Texas; and

WHEREAS, a proposed diversion point is also located approximately 2.66 miles west of the nearby town of Belton, Texas at Latitude 31.077378° N, Longitude 97.498914° W, Bell County, Texas; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the Brazos Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 12-2948, designated Certificate of Adjudication No. 12-2948A, is issued to Chester E. Dickson and Linda Diane Dickson, subject to the following terms and conditions:

1. DIVERSION

In addition to the previous authorization, Owners are authorized to divert from the following two points on Nolan Creek, Brazos River Basin in Bell County, Texas:

- A. A point on Nolan Creek approximately 2.4 miles west of the nearby town of Belton, Texas at Latitude 31.083000° N, Longitude 97.492633° W
- B. A point on Nolan Creek 2.66 miles west of the nearby town of Belton, Texas at Latitude 31.077378° N, Longitude 97.498914° W
- C. Maximum Combined Diversion Rate of 2.23 cfs (1,000 gpm) in combination with owners of Certificate of Adjudication No. 12-2949

2. SPECIAL CONDITIONS

- A. In order to minimize entrainment and impingement of aquatic organisms, Owners shall install intake screen(s) with a mesh size of 0.25 inches or smaller on any new diversion structure(s).
- B. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the diversion points authorized above in Paragraph 1. DIVERSION and maintain measurement records.
- C. Owners shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.
- D. Owners shall contact the Brazos Watermaster prior to diversion of water authorized by this amendment.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 12-2948, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

Owners agree to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.


For the Commission

ISSUED: March 13, 2018

TAB 6

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 12-2949 OWNER: Daybreak Construction,
Incorporated
Terry Potts, President
P. O. Box 353
Belton, Texas 76513

COUNTY: Bell PRIORITY DATE: July 31, 1960

WATERCOURSE: Nolan Creek, tributary BASIN: Brazos River
of Leon River, tributary
of Little River, tributary
of Brazos River

WHEREAS, by final decree of the 33rd Judicial District Court of Burnet County, Texas, in Cause No. 8987, In Re: The Adjudication of Water Rights in the Lower Leon River Segment of the Brazos River Basin dated January 7, 1983, a right was recognized under Claim 1964 authorizing Daybreak Construction, Incorporated to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Brazos River Basin is issued to Daybreak Construction, Incorporated, subject to the following terms and conditions:

1. USE

Owner is authorized to divert and use not to exceed 37 acre-feet of water per annum from Nolan Creek to irrigate a maximum of 22 acres of land out of a 46.187 acre tract located in the Lewis Walker Survey, Abstract 860, Bell County, Texas, said 46.187 acre tract being described as follows:

- (1) BEGINNING at an iron pipe in the north line of a 307.39 acre tract described by deed from Don H. Kelley, et ux to Kenneth G. Hayes in Vol. 1392, Page 3, Deed Records of Bell County, Texas and being at a point which bears $N 87^{\circ}27'33''W$, 880.99 feet from the northeast corner of said 307.39 acre tract;
- (2) THENCE $N 84^{\circ}42'4''W$, 1561.66 feet with the north line of said 307.39 acre tract to an iron pipe for northwest corner of this tract;
- (3) THENCE $S 3^{\circ}40'32''W$, 1139.51 feet to an iron pipe on the north bank of Nolan Creek and 1184.54 feet in all to center of said creek;
- (4) THENCE downstream with the meanders of Nolan Creek to wit: $N 89^{\circ}11'28''E$, 427.41 feet; $S 72^{\circ}26'47''E$, 321.46 feet; $S 54^{\circ}10'40''E$, 736.12 feet and $N 85^{\circ}32'10''E$, 161.93 feet to a point for the southeast corner of this tract;
- (5) THENCE $N 5^{\circ}6'57''E$, 50.68 feet to an iron pipe in the north bank of Nolan Creek;
- (6) THENCE $N 5^{\circ}6'59''E$, 614.83 feet to a iron pipe;
- (7) THENCE $N 5^{\circ}57''E$, 887 feet to the place of beginning.

2. DIVERSION

- A. Location:
At a point on Nolan Creek in the Lewis Walker Survey, Abstract 860, Bell County, Texas.
- B. Maximum rate in combination with owners of Certificate of Adjudication 12-2948 is 2.23 cfs (1000 gpm).

3. PRIORITY

The time priority of owner's right is July 31, 1960.

The locations of pertinent features related to this certificate are shown on Page 3 of the Lower Leon River Segment Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources, Austin, Texas, and the office of the County Clerk.

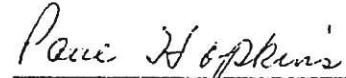
This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 33rd Judicial District Court of Burnet County, Texas, in Cause No. 8987, In Re: The Adjudication of Water Rights in the Lower Leon River Segment of the Brazos River Basin, dated January 7, 1983, and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Brazos River Basin.

This certificate of adjudication is issued subject to the Rules of the Texas Department of Water Resources and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the water right owned by the owner or seller at the time of the transaction.

TEXAS WATER COMMISSION


Paul Hopkins, Chairman

DATE ISSUED:

APR 30 1984

ATTEST:


Mary Ann Helner, Chief Clerk

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



THE STATE OF TEXAS
COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOCUMENT, WHICH IS FILED IN THE PERMANENT RECORDS

MAR 22 2018

OF THE COMMISSION, GIVEN UNDER MY HAND AND THE
SEAL OF OFFICE ON

Bridget C. Bohan

BRIDGET C. BOHAN, CHIEF CLERK
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AMENDMENT TO A CERTIFICATE OF ADJUDICATION

Certificate No. 12-2949A

Type: § 11.122

Owner:	Chester E. Dickson & Linda Diane Dickson	Address:	24 West River Crest Houston, Texas 77042
Filed:	May 9, 2013	Granted:	March 13, 2018
Purpose:	Agriculture	County:	Bell
Watercourse:	Nolan Creek, tributary of Leon River, tributary of Little River, tributary of Brazos River	Watershed:	Brazos River Basin

WHEREAS, Certificate of Adjudication No. 12-2949 authorizes Chester E. Dickson Linda Diane Dickson, Owners/Applicants, to divert and use not to exceed 37 acre-feet of water per year from a point on Nolan Creek, tributary of Leon River, tributary of Little River, tributary of Brazos River, Brazos River Basin, at a maximum combined diversion rate of 2.23 cfs (1,000 gpm) for agricultural purposes to irrigate a maximum of 22 acres out of a 46.187-acre tract in Bell County, Texas; and

WHEREAS, the time priority of this right is July 31, 1960; and

WHEREAS, Applicants seek to amend Certificate of Adjudication to add two diversion points on Nolan Creek, Brazos River Basin; and

WHEREAS, a proposed diversion point is located approximately 2.4 miles west of the nearby town of Belton, Texas at Latitude 31.083000° N, Longitude 97.492633° W, Bell County, Texas; and

WHEREAS, a proposed diversion point is located approximately 2.66 miles west of the nearby town of Belton, Texas at Latitude 31.077378° N, Longitude 97.498914° W, Bell County, Texas; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the Brazos Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 12-2949, designated Certificate of Adjudication No. 12-2949A, is issued to Chester E. Dickson and Linda Diane Dickson, subject to the following terms and conditions:

1. DIVERSION

In addition to the previous authorization, Owners are authorized to divert from the following two points on Nolan Creek, Brazos River Basin in Bell County:

- A. A point approximately 2.4 miles west of the nearby town of Belton, Texas at Latitude 31.083000° N, Longitude 97.492633° W.
- B. A point 2.66 miles west of the nearby town of Belton, Texas at Latitude 31.077378° N, Longitude 97.498914° W.
- C. Maximum combined diversion rate of 2.23 cfs (1,000 gpm), in combination with owners of Certificate of Adjudication 12-2948.

2. SPECIAL CONDITIONS

- A. In order to minimize entrainment and impingement of aquatic organisms, the Owners shall install intake screen(s) with a mesh size 0.25 inches or smaller on any new diversion structure(s).
- B. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the diversion points authorized above in Paragraph 1. DIVERSION and maintain measurement records.
- C. Owners shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.
- D. Owners shall contact the Brazos Watermaster prior to diversion of water authorized by this amendment.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 12-2949, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

Owners agree to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.


For the Commission

ISSUED: March 13, 2018

TAB 7

ATTACHMENT 4 (Tab 7)
ADDENDUM: MARSHALL CRITERIA

**APPLICATION TO AMEND CERTIFICATE OF ADJUDICATION NO. 12-2949A
PURSUANT TO TEXAS WATER CODE § 11.122**

CHESTER E. AND LINDA DIANE DICKSON

As a supplement to the completed and notarized TCEQ Administrative Information Checklist and Technical Information Report (“Application”), Chester E. and Linda Diane Dickson (together, “Applicants”) in this Addendum provide information supporting each of the “Marshall Criteria” to assist TCEQ in determining whether notice is required for the amendment sought in the Application to authorize an increased maximum combined diversion rate applicable to three diversion points currently authorized pursuant to the existing water right held by the Applicants—Certificate of Adjudication No. 12-2949A (“Water Right”)—and to authorize additional places of use for irrigation purposes. The proposed amendment would not alter the currently-authorized diversion points, nor would it alter the amount of water appropriated nor its agricultural purpose of use. The proposed amendment is not anticipated to impact other water rights holders or the aquatic environment. Responses to each of the “Marshall Criteria” are laid out below, consistent with the order in which they are presented in Worksheet 1.2 of the Application:

A. Administrative Requirements and Fees

The Application provides the relevant information to meet the administrative requirements for an amendment to a water use permit, pursuant to Texas Water Code Chapter 11 and Title 30 Texas Administrative Code Chapters 281, 295, and 297. The fees required for this Application are also enclosed.

B. Beneficial Use

Texas Water Code Section 11.134(b)(3)(A) requires that proposed appropriations of water be intended for a beneficial use. The “beneficial use” of water is defined in Texas Water Code Section 11.002(4) and 30 Texas Administrative Code Section 297.1(8) as the use of water “which is economically necessary for a purpose authorized by [Chapter 11 of the Texas Water Code].” An “agricultural” purpose of use is recognized in Texas Water Code Section 11.023 as a purpose for which water may be diverted and beneficially used and is defined in 30 Texas Administrative Code Section 297.1(2) to include “any use or activity involving agriculture, including irrigation.” “Irrigation” is defined under 30 Texas Administrative Code Section 297.1(26) to include “the use of water for the irrigation of crops, trees, and pasture land, including, but not limited to, golf courses and parks which do not receive water through a municipal distribution system.” The Application proposes to maintain the beneficial use of irrigation for the same appropriated volume of water, and the proposed amendment of an increased maximum combined diversion rate would allow Applicants more flexibility to beneficially use their Water Right to irrigate additional acreage in a more strategic manner and decrease evaporative losses. Applicants’ compliance with the System Inventory and Water Conservation Plan for Individually Owned Irrigation Systems (“WCP”) will further ensure that Applicants beneficially use the water authorized for diversion by the Water Right by avoiding waste and ensuring water conservation.

C. Public Welfare

The proposed amendment will allow Applicants to use water for beneficial use, as defined by the Texas Water Code, on additional acreage and in a more efficient manner, and such authorization is not detrimental to the public welfare. Indeed, the proposed amendment will benefit the public welfare as it will improve Applicants' ability to efficiently utilize the Water Right to address irrigation needs through minimization of evaporative losses by irrigating at night. Specifically, the Application will allow diversion at an increased maximum combined rate for irrigation purposes on additional acreage for beneficial use. Further, because the Applicants do not seek an increased volume of water to irrigate this larger area of land, little to no environmental impacts or impacts on environmental flows are anticipated to occur as a result of the Application. Again, Applicants will ensure compliance with the WCP in the use of the Water Right, which also benefits the public welfare by avoiding waste and promoting water conservation. Thus, the proposed amendment is not detrimental to the public welfare.

D. Groundwater Effects

No groundwater resources or groundwater recharge will be adversely impacted by the Application, as Applicants seek to divert surface water already authorized under the Water Right. Because the Application seeks to use only surface water, there will be no adverse impact to groundwater resources. Further, allowing Applicants to use their Water Right as requested in the Application could reduce the potential need to rely upon other sources of water, particularly groundwater, for irrigation. Additionally, any water used for irrigation that is not consumed by vegetation or evaporation may, by infiltration, replenish any groundwater sources beneath the place of use.

E. State Water Plan

This Application would authorize an increase in the maximum combined diversion rate under the Water Right for agricultural irrigation purposes on nearby tracts of land. The properties to be irrigated pursuant to the Water Right and proposed amendment are all within Bell County, Texas, which falls within the Region G Water Planning Area ("Region G"). Consistent with the 2016 Region G Water Plan and the 2017 State Water Plan, irrigation remains a significant water use within Region G, and various strategies are identified to address ongoing and future irrigation and agricultural needs. The proposed amendment is consistent with the 2017 State Water Plan, which recognizes the continued prominence of irrigation as a beneficial use in the state and anticipates the deployment of more efficient irrigation systems, changes to irrigation methods, increases in irrigation application efficiency, and increased conservation.¹ The proposed amendment is also consistent with 2016 Region G Water Plan, which anticipates technological advances in irrigation techniques and recommends increased water conservation in the irrigation context.² Applicants do not seek to increase the volume of water authorized to be used pursuant to the Water Right, but rather seek the flexibility to divert such water at an increased maximum combined diversion rate to enable modification of the irrigation schedule to minimize evaporative losses otherwise occurring from irrigation during daytime hours. Thus, the aims of the proposed

¹ Texas Water Development Board, *2017 State Water Plan Water for Texas*, 6, 9, 57, 94 (2016), <http://www.twdb.texas.gov/waterplanning/swp/2017/doc/SWP17-Water-for-Texas.pdf?d=1521050021919>.

² Region G Water Planning Group, *2016 Brazos G Regional Water Plan*, 2-47, 5.40-1 (December 2015), http://www.twdb.texas.gov/waterplanning/rwp/plans/2016/G/Region_G_2016_RWPV1.pdf?d=1521050072147.

amendment are an improved irrigation strategy and conservation of water resources, both of which align with the 2016 Region G Water Plan and the 2017 State Water Plan.

F. Waste Avoidance

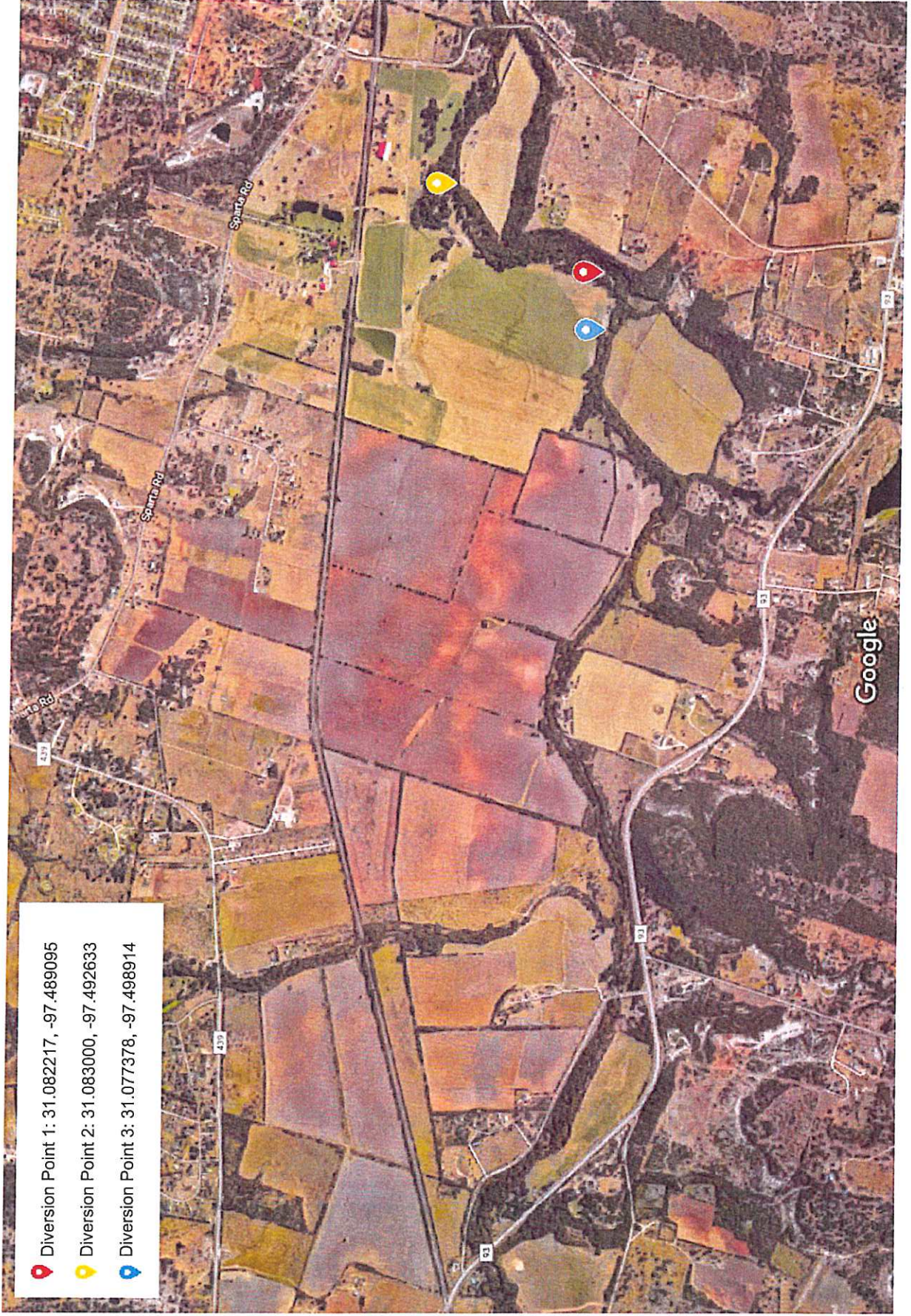
As defined in both 30 Texas Administrative Code Section 295.9 and Texas Water Code Section 11.002(8), “conservation” means those practices that will “reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.” The proposed amendment would conserve water by avoiding the greater evaporative losses tied to daytime irrigation, and the WCP further includes commitments by the Applicants to conserve water resources. As proposed, the Application would further the goal of waste avoidance.




G. Impacts on Other Water Rights Holders or the Environment

The proposed amendment will not impact other water rights holders or the aquatic environment beyond and irrespective of the fact that the Water Right can be used to its full authorized amount. The Application does not seek to appropriate or divert any volume of water in excess of that currently authorized by the existing Water Right, nor does the Application seek to change the purpose of use nor the location of any diversion point. The Application simply seeks to increase the maximum combined rate of diversion for irrigation purposes on the current agricultural acreage as well as additional nearby acreage (adding to the place of use), and, therefore, the proposed amendment will have little effect on other water rights holders or the aquatic environment. Again, the proposed amendment is in pursuit of the Applicants’ ability to more efficiently and productively utilize the Water Right. Therefore, the proposed amendment is not anticipated to have a negative impact on other water right holders or the aquatic environment.

TAB 8

Google Maps Dickson Ranch - Certificates 12-2948 and 2949, as amended



-  Diversion Point 1: 31.082217, -97.489095
-  Diversion Point 2: 31.083000, -97.492633
-  Diversion Point 3: 31.077378, -97.498914

TAB 9

Certificate of Adjudication No. 12-2949, as amended

Diversion Point No. 1

Latitude 31.082217 °N, Longitude 97.489095 °W



Creek Suction



Pump Site

Diversion Point No. 2

Latitude 31.083000 °N, 97.492633 °W



Creek Suction



Pump Site

Diversion Point No. 3

Latitude 31.077378 °N, 97.498914 °W



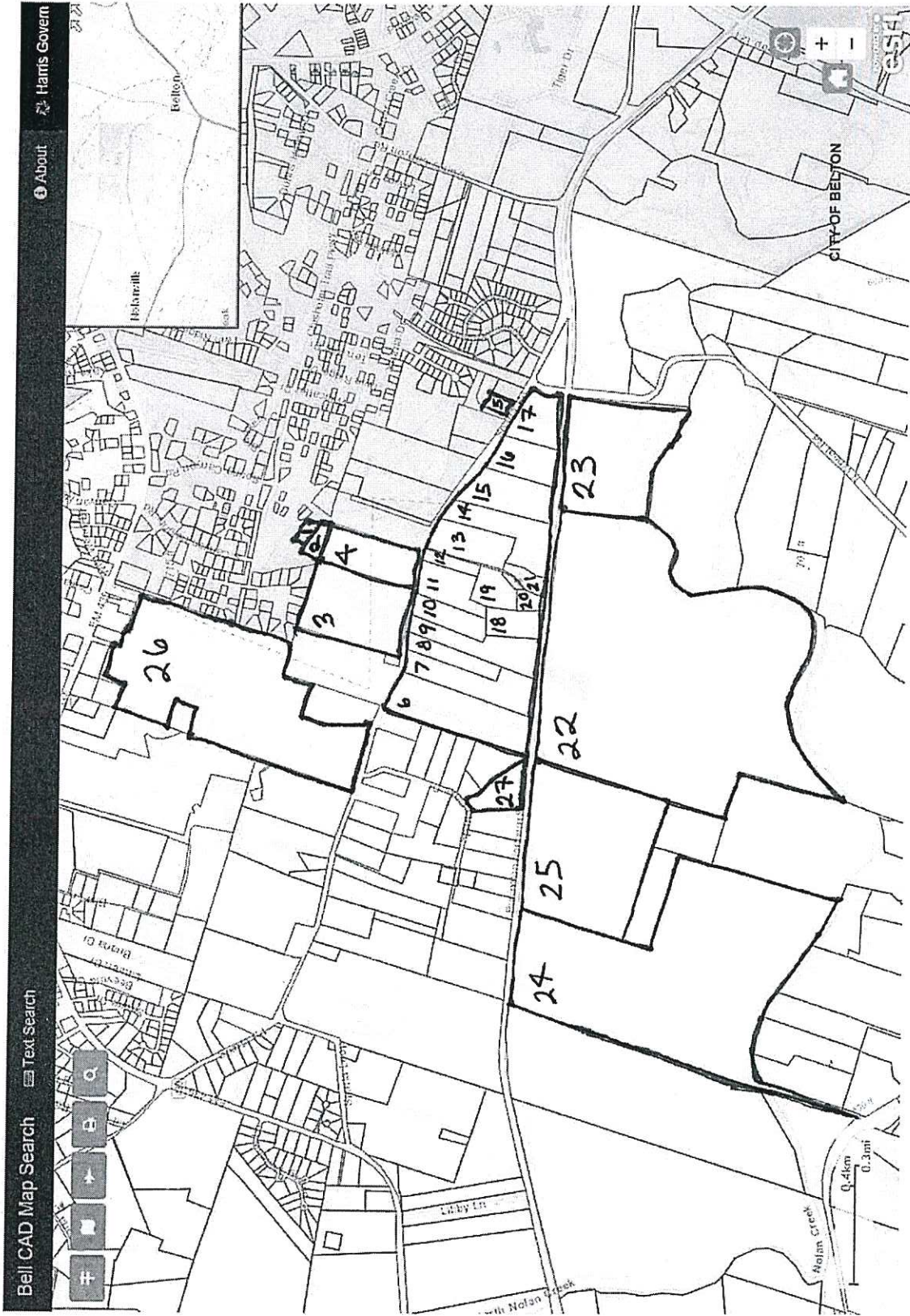
Creek Suction



Pump Site

TAB 10

Dickson Ranch



TAB 11

ATTACHMENT 8 (Tab 11)

TABLE OF PROPERTIES AND RECORDED DEEDS FOR IRRIGATED LAND

Map No. (TR-4)	Property ID No.	Acreage	Grantor to Dicksons
1	421316	1.151	Holle (same deed as 168881 and 38071)
2	168881	1.99	Holle (same deed as 421316 and 38071)
4	38071	14.839	Holle (same deed as 168881 and 421316)
5	346691	1.6	Baird
6	124431	22.43	Walker
7	123231	14.262	Stark
8	25237	5.953	Cousins
9	29286	11.88	Tipps
10	10240	6.66	Perez
11	29285	8.28	Bishop
12	419252	2.487	Cantrell (same deed as 29282)
13	29283	10	Heath
14	29278	14.32	Crowley & Associates
15	29288	13.11	Dupree
16	29292	10	Sellers
17	29291	8.949	Sellers
18	29276	5.824	Hurley (same deed as 29275)
19	29282	5.057	Cantrell (same deed as 419252)
20	29275	2.56	Hurley (same deed as 29276)
21	29274	3.175	Cox
22	29279	239.961	Hurley (same deed as 29280)
23	29280	46.187	Hurley (same deed as 29279)
24	587	157.228	Barge
25	419293	71	Herndon/Extraco Banks/Mahler
26	107623	99.714	Tri-Cru Ventures
27	8672	7.33	Bell
TOTAL		785.947	

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

WARRANTY DEED WITH VENDOR'S LIEN

Date: November 30, 2017

Grantor: EUGENE D. HOLLE and wife, GLORIA M. HOLLE, one and the same person as GLORIA M. LARSON, GLORIA SYLVIA LARSON, GLOARIA FRICK, and GLORIA M. FRICK

Grantor's Mailing Address: 2820 Sparta Road
Belton, Bell County, Texas 76513

Grantee: CHESTER E. DICKSON and wife, LINDA DIANE DICKSON

Grantee's Mailing Address: 24 West Rivercrest Drive
Houston, Harris County, Texas 77042

Consideration: The sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by the Grantees herein of their one certain Promissory Note, of even date herewith, in the principal sum of \$456,431.00, payable to the order of Grantors, bearing interest and being payable in installments as therein provided, and containing the usual and customary clauses as to default, late charges, acceleration of maturity and attorney's fees, the payment of which Note is secured by the Vendor's Lien herein retained, and is additionally secured by a Deed of Trust, of even date herewith to Jack M. Tarver, Trustee.

401174

Property (including any improvements):

The following lots, tracts or parcels of land in Bell County, Texas, to-wit:

TRACT ONE:

14.839 acre tract, more or less, out of the Lewis Walker Survey,

Abstract No. 860, Bell County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto.

TRACT TWO:

1.99 acre tract, more or less, out of the Christopher Cruise Survey, Abstract No. 166, Bell County, Texas, and being more particularly described by metes and bounds in Exhibit "B" attached hereto.

TRACT THREE:

1.151 acre tract, more or less, out of the Christopher Cruise Survey, Abstract No. 166, Bell County, Texas, and more particularly described by metes and bounds on Exhibit "C" attached hereto.

Reservations From Conveyance: None

Exceptions to Conveyance and Warranty: This conveyance is made and accepted subject to any and all restrictions, covenants, conditions and easements, if any, relating to the herein above described property, but only to the extent they are still in effect, shown of record in the herein above mentioned County and State, and to all zoning laws, regulations, and ordinances of municipal and/or governmental authority, if any, but only to the extent that they are still in effect, relating to the herein above described property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.

Eugene D. Holle
Eugene D. Holle

Gloria M. Holle
Gloria M. Holle

STATE OF TEXAS §
 §
COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared EUGENE D. HOLLE and wife, GLORIA M. HOLLE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 30th day of November, 2017.

(Seal)



Suzanne Ward
Notary Public in and for the
State of Texas

Field note description of a 14.839 acre tract of land out of the L. Lewis Walker Surveys, Abstract No. 860, in Bell County, Texas, and being out of that certain 15.00 acre tract described in a deed of record in volume 2200, page 651, of the Deed Records of Bell County, Texas.

Beginning at a 1/2" iron pin found in the north margin of Sparta Road, being the southwest corner of said 15.00 acre tract, and being the southwest corner of this tract;

Thence with the west line of said 15.00 acre tract, N 19°05'02" E, a distance of 1276.99 feet to a 1/2" iron pin found being the northwest corner of this tract;

Thence S 74°36'06" E, a distance of 515.47 feet to a 1/2" iron pin found being the northeast corner of said 15.00 acre tract, and being the northeast corner of this tract;

Thence with the east line of said 15.00 acre tract, S 19°01'22" W, a distance of 1232.88 feet to a 1/2" iron pin set in the north margin of said road, being the southeast corner of said 15.00 acre tract, and being the southeast corner of this tract;

Thence with the north margin of said road, also being the south line of said 15.00 acre tract, N 79°26'05" W, a distance of 521.47 feet to the place of beginning and containing in all 14.839 acres of land.

State of Texas §
County of Bell § Know all men by these presents,

That I, Frank G. Martin Jr., a Registered Public Surveyor in the State of Texas, do hereby certify that I did cause to be surveyed on the ground the tract of land described above and the description is true and correct. There are no discrepancies, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way with regards to said survey, except as shown hereon. This property has access to and from a public road.

17, August, 1989

Frank G. Martin Jr.

Frank G. Martin Jr.
Registered Public Surveyor
Serial No. 2856 State of Texas



EXHIBIT A

Exhibit "A"

FIELD NOTES OF A TRACT OF LAND OUT OF THE CHRISTOPHER CRUISE SURVEY, ABSTRACT NO. 166 IN BELL COUNTY, TEXAS, AND ALSO BEING OUT OF AND A PART OF A 114 ACRES DESCRIBED AS THE SECOND TRACT IN A DEED TO FRANK SMITH ET UX, RECORDED IN VOL. 1112 PAGE 385 OF THE DEED RECORDS OF BELL COUNTY, TEXAS, AND NOW BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND IN THE SOUTH LINE OF SAID 114 ACRES, AND AT THE NORTHWEST CORNER OF A 15 ACRE TRACT OF LAND DESCRIBED IN A DEED OF RECORD IN VOL. 2200 PAGE 651 OF THE DEED RECORDS OF BELL COUNTY, TEXAS, AND BEING THE SOUTHWEST CORNER OF THIS;

THENCE N 19° 05' 02" E 252.00 FT. TO AN IRON PIN SET FOR THE NORTHWEST CORNER OF THIS;

THENCE S 56° 19' 37" E 531.45 FT. TO AN IRON PIN SET FOR THE NORTHEAST CORNER OF THIS;

THENCE S 19° 01' 22" W 85 FT. TO THE NORTHEAST CORNER OF SAID 15 ACRES, AN IRON PIN SET FOR THE SOUTHWEST CORNER OF THIS;

THENCE N 74° 36' 06" W 515.47 FT. ALONG THE SOUTH LINE OF SAID 114 ACRES, AND NORTH LINE OF SAID 15 ACRES TO THE PLACE OF BEGINNING, AND CONTAINING 1.99 ACRE OF LAND.

State of Texas }
 } Know all men by these presents,
County of Bell }

That I, Frank G. Martin Jr., a Registered Public Surveyor in the State of Texas, do hereby certify that I did cause to be surveyed on the ground the tract of land described above and the description is true and correct.

JANUARY 4, 1988



Frank G. Martin Jr.
Frank G. Martin Jr.
Registered Public Surveyor
Serial No. 2856-State of Texas

Exhibit "B"

FIELDNOTE DESCRIPTION of 1.151 of an acre of land, or 50,153 square feet of land area, situated in the Christopher Cruise Survey, Abstract No-166, in Bell County, Texas, being out of and a part of that certain tract of land called to contain 119.22 acres of land in a deed to Jack R. Crews, Trustee, of record in Vol. 5138 Pg. 683, Official Public Records of Bell County, Texas. Said 1.151 of an acre of land surveyed by SIGHTLINE SURVEYING INC. on June 23, 2006 and is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at the Northeast corner of that certain tract of land called to contain 1.99 acres of land in a deed to Gloria Frick of record in Vol. 2397 Pg. 27, Official Public Records of Bell County, Texas, same being the most Southerly corner of this tract of land;

THENCE with the Northeasterly line of said 1.99 acre tract of land, same being a Southwesterly line of said 119.22 acre tract of land and this tract of land, North 58d 41' 03" West for a distance of 309.78 feet to a 1/2 inch iron rod set for the most Westerly corner of this tract of land and from which a 1/2 inch iron rod found at the most Northerly corner of said 1.99 acre tract of land bears North 58d 41' 03" West a distance of 221.32 feet;

THENCE crossing said 119.22 acre tract of land with the following five courses:

1. with the West line of this tract of land, North 15d 28' 37" East for a distance of 224.55 feet to a 1/2 inch iron rod set at the most Northerly or Northwest corner of this tract of land;

With the irregular Northeasterly line of this tract of land for the following three courses:

2. South 40d 09' 05" East for a distance of 203.44 feet to a 1/2 inch iron rod set at an angle point;
3. South 41d 10' 02" East for a distance of 75.17 feet to a 1/2 inch iron rod set at an angle point;
4. South 53d 07' 42" East for a distance of 74.34 feet to a 1/2 inch iron rod set at the Northeast corner of this tract of land;
5. with the Easterly line of this tract of land, South 16d 32' 46" West for a distance of 125.84 feet to the POINT OF BEGINNING. NOTE - There is a Map of Survey accompanying this metes and bounds description. NOTE - The bearings called out herein are based on the Texas State Plane Coordinate System, Central Zone, NAD 83.

Surveyed by:

R.P. Shelley

6/23/2006
Date

R.P. Shelley, Texas Reg. Professional Land Surveyor No. 4540
SIGHTLINE SURVEYING INC.
3407 Saddle Point
San Antonio, Texas, 78259
210-286 9077



Exhibit C

**** Electronically Filed Document ****

**Bell County, Tx
Shelley Coston
County Clerk**

Document Number: 2017-50732

Recorded As : ERX-RECORDINGS

Recorded On: December 05, 2017
Recorded At: 03:55:09 pm
Number of Pages: 7
Book-VI/Pg: Bk-OR VI-10286 Pg-652
Recording Fee: \$31.00

Parties:

Direct- HOLLE EUGENE D

Indirect- DICKSON CHESTER E

Receipt Number: 320692
Processed By: Manuela Saunders

(Parties listed above are for Clerks reference only)

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

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

**Shelley Coston
Bell County Clerk**

A handwritten signature in cursive script that reads "Shelley Coston".

5

Doc# 00047551

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

WARRANTY DEED

Date: November 9, 2017

Grantor: JERRY BAIRD and wife, CHERYL BAIRD

Grantor's Mailing Address:

7402 Paddy Hamilton
Belton, TX 76513

Grantee: CHESTER E. DICKSON and wife, DIANE M. DICKSON

Grantee's Mailing Address:

24 W. Rivercrest Dr.
Houston, TX 77042

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FEB 15 2019



Shelley Costan
CO. CLERK, BELL CO., TX

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, NO LIEN HAVING BEEN RETAINED, EITHER EXPRESS OR IMPLIED.

Property (Including any improvements):

- Lot One (1), in Block One (1), of Cameron Hills 1, in the City of Belton, Bell County, Texas, according to the plat of record in Cabinet C, Slide 378-A, Plat Records of Bell County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is subject to the easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, agreements and maintenance charges, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines;

Dickson
MONTEITH ABSTRACT & TITLE COMPANY
2010 Birdcreek Dr, Suite 102
Temple, TX 76502

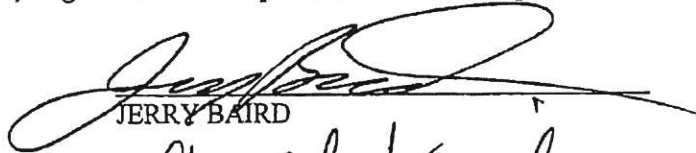
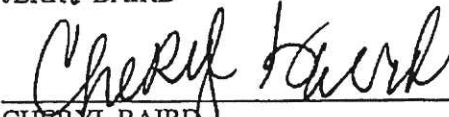
17.00

17-5574

any encroachments or overlapping of improvements; taxes for the year 2018 and subsequent years; and subsequent assessments for 2017 and prior years due to a change in land usage, ownership or both, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

When the context requires, singular nouns and pronouns include the plural.


JERRY BAIRD

CHERYL BAIRD

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me this 9th day of November, 2017, by JERRY BAIRD.




NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me this 9th day of November, 2017, by CHERYL BAIRD.




NOTARY PUBLIC STATE OF TEXAS

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CO. CLERK, BELL CO., TX

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:

HARRELL, STOEßNER & RUSSELL, P.C.
Attorneys at Law
2106 Bird Creek Drive, Temple, Texas 76502
254-771-1855

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FEB 15 2019



Phelley Coston
CO. CLERK, BELL CO., TX

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



70 2017 00047551

Instrument Number: 2017-00047551

As

Recorded On: November 13, 2017

Recordings

Parties: BAIRD JERRY

To DICKSON CHESTER E

Billable Pages: 3

Number of Pages: 4

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	19.00
Total Recording:	19.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2017-00047551
Receipt Number: 318752
Recorded Date/Time: November 13, 2017 01:41:43P

Record and Return To:

MONTEITH ABSTRACT & TITLE CO
106 S EAST ST
BELTON TX 76513

User / Station: S Martinez - Cash Station 2

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DOCUMENT ATTACHED IS A
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FEB 15 2019



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk



Shelley Coston
CO. CLERK, BELL CO., TX

By: S Martinez

ECT-114617-\$30

Document # 00013394

Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: March 23, 2007

Grantor: HOWARD V. and SARA F. WALKER, husband and wife, DAVID DORCH WALKER, a single person, and DORCAS JANE ROBERTS, a single person

Grantor's Mailing Address: [include county] 3899 Sparta Road
Belton, Bell County, Texas 76513-5247

Grantee: CHESTER E. DICKSON and LINDA DIANE DICKSON, husband and wife.

Grantee's Mailing Address: [include county] 24 West Rivercrest Drive
Houston, Harris County, Texas 77042-2127

Consideration: Two Hundred Seventy-Five Thousand Dollars (\$275,000.00) and a note of even date executed by Grantee and payable to the order of Howard V. Walker and Sara F. Walker, husband and wife, in the principal amount of Three Hundred Eighty-Three Thousand Six Hundred Seventy-Two Dollars and Five Cents (\$383,672.05). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Ronald E. Pearson, trustee.

Property (including any improvements):

Being 22.65 acres of land, more or less, out of the Lewis Walker Survey, Abstract 860, in Bell County, Texas, the herein described being a part of that certain tract described in a deed from Wendell B. Langford to Don Kelly, et al, said deed being of record in Vol. 1227, Page 797, Deed Records of Bell County, Texas; this tract being also further described as being out of and a part of that certain 72.57 acre tract as described in a deed from John Hood Garner, et ux. to Guy R. Mabce said deed being of record in Vol. 882, Page 268, Deed Records of Bell County, Texas, and being more particularly described by metes and bounds as:

BEGINNING at an iron pipe in the south line of the Belton Sparta Road for the northwest corner of the said 72.57 acre tract and for the northwest corner of this;

Page -1-

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FEB 15 2019



Dwight Coston
CO. CLERK, BELL CO., TX

THENCE S. 61° 22' 52" E., 524.03 feet with the south line of the said Belton-Sparta Road to an iron pipe for the northeast corner of this;

THENCE S. 18° 44' 38" W., 1793.22 feet as fenced to an iron pipe in the north line of the Santa Fe Railroad for the southeast corner of this;

THENCE N. 83° 58' 58" W., 537.11 feet with the north line of said Santa Fe Railroad to an iron pipe for the southwest corner of this;

THENCE N. 18° 57' 47" E., 2001.44 feet with the west line of said 72.57 acre tract to the place of beginning containing 22.65 acres;

SAVE and EXCEPT, however, 0.123 acres of land conveyed to the County of Bell by Don H. Kelly and wife, Jean Kelly, by instrument dated August 24, 1982, filed February 10, 1983, and recorded in Volume 1839, Page 651, of the Deed Records of Bell County, Texas; and

SAVE and EXCEPT, however, 0.097 acres of land conveyed to the County of Bell by Howard V. Walker and wife, Sara F. Walker, by an instrument dated September 1, 1982, filed February 10, 1983, and recorded in Volume 1839, Page 623, of the Deed Records of Bell County, Texas.

Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining lands owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the 2007 calendar year which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

Page -2-

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FEB 15 2019



Dwight Coston
CO. CLERK, BELL CO., TX

When the context requires, singular nouns and pronouns include the plural.

Howard V. Walker
Howard V. ("Buck") Walker

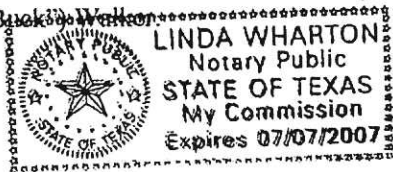
Sara F. Walker
Sara F. Walker

Dorcas Jane Roberts
Dorcas Jane Roberts

David Dorch Walker

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 26 day of March, 2007, by Howard V. ("Buck") Walker.

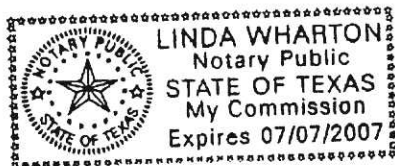


Linda Wharton
NOTARY PUBLIC - STATE OF TEXAS

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 26 day of March, 2007, by Sara F. Walker.

Linda Wharton
NOTARY PUBLIC - STATE OF TEXAS



Page -3-

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FEB 15 2019



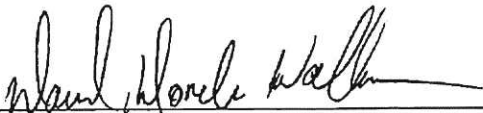
Shelley Coston
CO. CLERK, BELL CO., TX

When the context requires, singular nouns and pronouns include the plural.

Howard V. ("Buck") Walker

Sara F. Walker

Dorcas Jane Roberts



David Dorch Walker

State of Texas §
County of Bell §

This instrument was acknowledged before me on this ____ day of March, 2007, by Howard V. ("Buck") Walker.

NOTARY PUBLIC - STATE OF TEXAS

State of Texas §
County of Bell §

This instrument was acknowledged before me on this ____ day of March, 2007, by Sara F. Walker.

NOTARY PUBLIC - STATE OF TEXAS

Page -3-

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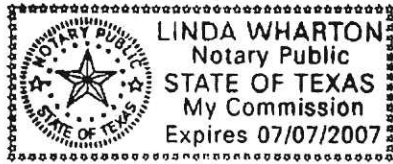
FEB 15 2019



Drilletty Coston
CO. CLERK, BELL CO., TX

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 26th day of March, 2007, by Dorcas Jane Roberts.



Linda Wharton
NOTARY PUBLIC - STATE OF TEXAS

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 26th day of March, 2007, by David Dorch Walker.



Suzanne Ward
NOTARY PUBLIC - STATE OF TEXAS

Prepared in the law offices of:
PEARSON & PEARSON
2109 Bird Creek Terrace
Temple, Texas 76502-1083
Telephone: (254) 778-0699

Page -4-

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FEB 15 2019



Dorey Coston
CO CLERK, BELL CO., TX

By: S. Martinez

76

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



Instrument Number: 2007-00013394

As
Recordings

Recorded On: March 27, 2007

Parties: WALKER HOWARD V
To DICKSON CHESTER E

Billable Pages: 5
Number of Pages: 6

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	30.00
Total Recording:	30.00

***** DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2007-00013394
Receipt Number: 8615
Recorded Date/Time: March 27, 2007 01:26:46P
User / Station: E Melissa - Cash Station 1

Record and Return To:

FIRST COMMUNITY TITLE
4613 S 31ST
TEMPLE TX 76502

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas



Shelley Coston
Bell County Clerk



Shelley Coston
CO. CLERK, BELL CO., TX

WARRANTY DEED

DATE: OCT. 18, 1996

GRANTOR: Marilyn Stark
GRANTOR'S MAILING ADDRESS: RT. 5 Box 5790 L
BELTON TX 76513

GRANTEE: Chester E. Dickson and wife, Linda Diane Dickson
GRANTEE'S MAILING ADDRESS: 24 WEST RIVERCREST
HOUSTON, TX. 77042

CONSIDERATION:

- (1) TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration; and
- (2) the assumption by Grantee of all ad valorem taxes on the property for 1996 and subsequent years including subsequent assessments for years prior to 1996 due to a change in land usage or ownership.

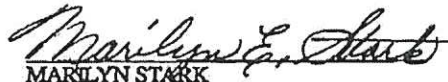
PROPERTY: A tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, containing 14.262 acres of land, more or less, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all reservations, restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, AND CONVEYS to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, TO HAVE AND HOLD IT to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.


MARILYN STARK

VOL. 3547 PAGE 328

BEING a 14.262 acre tract of land situated in the LEWIS WALKER SURVEY, ABSTRACT No 860, Bell County, Texas and being all of those certain tracts known as TRACT ONE (2.44) acres and TRACT TWO (12 acres save and except 0.077 acres for right-of-way) described in a Gift Warranty Deed from Yvonne Renee Stark-Creek to Marilyn E. Stark, a single woman dated April 11, 1996 and being of record in Volume 3453, Page 513, Deed Records of Bell County, Texas; said 12 acre tract also being described in a Warranty Deed from Don H. Kelly and wife, Jean Kelley to Veterans Land Board of the State of Texas dated August 5, 1977 and being of record in Volume 1474, Page 45, Deed of Records of Bell County, Texas inclusive of that certain 1.0 acre tract of land described in a Deed from the Veterans Land Board of the State of Texas to Floyd Daniel Stark dated May 15, 1986 and being of record in Volume 2171, Page 755 Deed Records of Bell County, Texas; said 2.44 acre tract also being described in a Warranty Deed with the Vendor's Lien from Don H. Kelly and wife, Jeanne Kelly to Floyd Daniel Stark and wife, Marilyn E. Stark dated June 1, 1979 and being of record in Volume 1610, Page 665, Deed Records of Bell County, Texas; said 14.262 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found at the Southwest corner of said 12 acre tract and being the southeast corner of that certain 22.65 acre tract of land described in a Warranty Deed from Don H. Kelly, a single man, and Jean Kelly, a single woman to Howard V. Walker and wife, Sara F. Walker dated June 19, 1986 and being of record in Volume 2186, Page 77, Deed Records of Bell County, Texas; said 1" iron pipe found being in the North right-of-way line of the A.T. & S.F. R.R. for corner;

THENCE N. 18° 44' 38" E., (bearing base) 1787.22 feet departing from said North right-of-way line and with the common boundary lines of said 12 acre tract and 22.65 acre tract to a 1/2" iron rod set at the southwest corner of that certain 0.077 acre tract of land (PARCEL No 32.8) described in a County of Bell Right-of-way Deed from Floyd Daniel Stark, a/k/a Floyd Stark, et ux Marilyn Stark to the County of Bell dated September 9, 1982 and being of record in Volume 1839, Page 635, Deed Records of Bell County, Texas and being in the south right-of-way line of Sparta Road at the beginning of a curve to the left for corner;

THENCE departing from the west boundary line of said 12 acre tract and with the said south right-of-way line the following two calls:

- 1.) Thence with the curve to the left, radius equals 1462.50 feet and the arc length equals 258.04 feet (calls 253 feet) and long chord bearing equals S. 71° 25' 43" E., 257.70 feet to a 1/2" iron rod set for corner;
- 2.) S. 79° 29' 08" E., (calls S. 80° 17' 08" E.) 37.10 feet to a 1/2" iron rod set in the east boundary line of said 12 acre tract and being in the west boundary line of that certain 5.97 acre tract of land (Exhibit "A") described in a Warranty Deed with Vendor's Lien from Delmer G. Tipps and wife, Margaret Elone Tipps to Robert Cousins and wife, Glenda Cousins dated November 22, 1987 and being of record in Volume 2359, Page 561, Deed Records of Bell County, Texas for corner;

VOL. 3547 PAGE 330



ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT
301 NORTH 3RD STREET • TEMPLE, TEXAS 76801 • (817) 773-2400

EXHIBIT A

PAGE 1 of 2

Marilyn E. Stark
MARILYN STARK

THENCE S. 18° 45' 34" W., (calls S. 18° 42' 04" W. Tract Two) 1185.04 feet departing from said south right-of-way line and with the said east boundary line of 12 acres and the west boundary line of 5.97 acre tract to a 1" iron pipe found at the southwest corner of said 5.97 acre tract being the northwest corner of said 2.44 acre tract and the northeast corner of said 1.0 acre tract for corner;

THENCE S. 71° 19' 34" E., 205.88 feet (calls S. 71° 21' 05" E., 206.78 feet) departing from said east boundary line and with the south boundary line of said 5.97 acre tract and north boundary line of said 2.44 acre tract to a 1" iron pipe found at the northeast corner of said 2.44 acre tract; also being the Southeast corner of said 5.97 acre tract and being an ell corner of that certain 17.85 acre tract of land (Exhibit "A") described in a Warranty Deed with the Vendor's Lien from Delmer G. Tipps and wife, Margaret Elone Tipps to Chester E. Dickson dated June 1, 1990 and being of record in Volume 2640, Page 197, Deed Records of Bell County, Texas for corner;

THENCE S. 19° 02' 38" W., 495.54 feet (calls S. 19° 07' 28" W., 495.78 feet) with the common boundary lines of said 2.44 acre tract and said 17.85 acre tract to a 1/2" iron rod found at the southeast corner of said 2.44 acre tract being the southwest corner of said 17.85 acre tract and being in the north right-of-way line A.T. & S.F. R.R. for corner;

THENCE N. 84° 02' 15" W., 207.95 feet (calls N. 83° 57' 25" W. 207.89 feet) with the south boundary line of said 2.44 acre tract and the said north right-of-way line to a 1/2" iron rod found at the southwest corner of said 2.44 acre tract being the southeast corner of said 12 acre tract for corner;

THENCE N. 84° 04' 01" W., 302.10 feet (calls N. 84° 04' 01" W., 302.62 feet) continuing with said north right-of-way line and with the south boundary line of said 12 acre tract to the Point of BEGINNING and containing 14.262 acres of land.

I, Victor D. Turley, a Registered Professional Land Surveyor in the State of Texas do hereby certify that these field notes are a correct representation of a survey made on the ground.

Victor D. Turley
Victor D. Turley, R.P.L.S.
September 24, 1996



96 NOV 13 AM 9 19

FILED FOR RECORD

037168

Surveyed on the ground September 6, 1996

See Attached Surveyors Sketch that accompanies this set of field notes (ref: 9813-C)



ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT
401 NORTH 3RD STREET • TEMPLE, TEXAS 76601 • (817) 778-2400

PAGE 2 of 2

EXHIBIT A

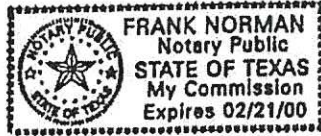
MARLYN STARK
MARLYN STARK

VOL. 3547 PAGE 331

(ACKNOWLEDGMENT)

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on the 18 day of OCT, 1996,
by Marilyn Stark.




NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:

MESSER, POTTS & MESSER
P.O. BOX 969
BELTON, TEXAS 76513

MAC One Items
Folder: Working Files
NP:sh

VOL. 3547 PAGE 329

WARRANTY DEED

Date: February 25, 1997

Grantor: ROBERT COUSINS and wife, GLENDA COUSINS

Grantor's Mailing Address (including county):

Grantee: CHESTER E. DICKSON and wife, LINDA DIANE DICKSON

Grantee's Mailing Address:

3359 SPARTA Rd.
BELTON, TX. 76513

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, NO LIEN HAVING BEEN RETAINED, EITHER EXPRESS OR IMPLIED.

Property:

A tract of land in Bell County, Texas, out of and a part of the LEWIS WALKER SURVEY, ABSTRACT #860, and the tract of land herein described being the same 5.97 acre tract of land described in a Deed to Robert and Glenda Cousins, recorded in Volume 2359, Page 561, reference line N. 18 deg. 43' 24" E. 1208.52 feet, Volume 2359, Page 561, Deed Records of Bell County, Texas, containing 5.953 acres of land, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is subject to the easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, agreements and maintenance charges, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the year 1997 and subsequent years; and subsequent assessments for 1997 and prior years due to change in land usage, ownership or both, the payment of which Grantee assumes.

VOL. 3586 PAGE 18

Field Notes for a tract of land in Bell County, Texas, out of and a part of the LEWIS WALKER SURVEY, ABSTRACT #860, and the tract of land herein described being the same 5.97 acre tract of land described in a Deed to Robert and Glenda Cousins, recorded in Volume 2359, Page 561, reference line N 18 deg. 43' 24" E, 1208.52 feet, Volume 2359, Page 561, Deed Records, of Bell County, Texas, and being more fully described as follows:

BEGINNING at an iron rod found on the South Right-of-Way line of Sparta Road, said iron rod found being the Northwest corner of a 11.880 acre tract of land described in a Deed to Delmer Tipps, recorded in Volume 2613, Page 595, Deed Records, Bell County, Texas, for the Northeast corner of the aforementioned 5.97 acres for the Northeast corner of this;

Thence: S 19 deg. 15' 20" W, 1244.28 feet, (Deed S 19 deg. 11' 37" W, 1245.38 feet) to an iron rod found for the Northeast corner of a 2.44 acre tract of land described in a Deed to Floyd Stark, recorded in Volume 1610, Page 665, Deed Records, Bell County, Texas, on the West line of said 11.880 acres for the Southwest corner of the aforementioned 5.97 acres for the Southeast corner of this;

Thence: N 71 deg. 23' 52" W, 205.69 feet, (Deed N 71 deg. 02' 31" W, 206.82 feet) to an iron rod found for the Northwest corner of said 2.44 acres for the Southeast corner of a 10.923 acre tract of land described in a Deed to Floyd Stark, recorded in Volume 1474, Page 45, Deed Records, Bell County, Texas, for the Southwest corner of the aforementioned 5.97 acres for the Southwest corner of this;

Thence: N 18 deg. 43' 24" E, 1209.33 feet, (Deed 1208.52 feet) to an iron rod found on the South Right-of-Way line of Sparta Road, for the Northeast corner of said 10.923 acres for the Northwest corner of the aforementioned 5.97 acres for the Northwest corner of this;

Thence: S 80 deg. 30' 50" E, 220.10 feet, (Deed S 80 deg. 41' 16" E, 220.0 feet) to the place of BEGINNING and containing 5.953 acres of land.

VOL. 356 PAGE 21

EXHIBIT "A"

FILED FOR RECORD
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Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Robert Cousins by Glenda R. Cousins

ROBERT COUSINS aka Robert L. Cousins by
Glenda A. Cousins aka Glenda Cousins his duly
authorized attorney in fact.

Glenda Cousins

GLENDA COUSINS

YDA 3386 PAGE 19

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on this the 25 day of February, 1997,
by ROBERT COUSINS, by Glenda R. Cousins his duly authorized attorney in fact.

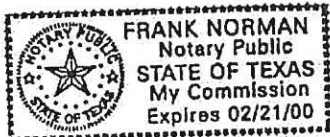


[Signature]

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on this the 25 day of February, 1997,
by GLENDA COUSINS.





NOTARY PUBLIC, STATE OF TEXAS

VOL. 358 PAGE 20

AFTER RECORDING RETURN TO:

Prepared in the Law Office of:

Jones & Harrell, P.C.
Attorneys at Law
2010 Bird Creek Drive, Suite 101
Post Office Box 3310
Temple, Texas 76505-3310

WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL

That DELMER G. TIPPS and wife, MARGARET ELONE TIPPS, Grantors (whether one or more), of the County of BELL and State of TEXAS for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and good and valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and for the further consideration of the execution and delivery of one certain Promissory Note of even date herewith in the original sum of FORTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$47,000.00), executed by Grantees and payable to the order of DELMER G. TIPPS and wife, MARGARET ELONE TIPPS, as therein provided, the payment of which note is hereby secured by the Vendor's Lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to GLENN W. MICHALK, Trustee, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CHESTER E. DICKSON and wife, LINDA DIANE DICKSON, Grantees, (whether one or more), of 9801 Westheimer, Suite 409, Houston 77401, in the County of HARRIS and the State of TEXAS, all of the following described real property in BELL County, Texas, to-wit:

BEING all that certain lot, tract or parcel of land lying and being situated in Bell County, Texas, out of and a part of the Lewis Walker Survey, Abstract No. 860, containing 17.85 acres of land, more or less, and being more particularly described by metes and bounds on EXHIBIT "A", attached hereto and made a part hereof for all purposes; SAVE AND EXCEPT therefrom that certain 5.97 acre tract previously conveyed to Robert Cousins and wife, Glenda Cousins, in Volume 2359, Page 561, Deed Records of Bell County, Texas, and being more particularly described by metes and bounds on EXHIBIT "B", attached hereto and made a part hereof for all purposes

This conveyance is made and accepted subject to any and all restrictions, covenants, easements, maintenance charges and the liens securing said charges, and mineral reservations of whatsoever nature, if any, affecting the premises conveyed herein, now of record in the county wherein the land is located.

TO HAVE AND TO HOLD the above described premises, together with all and singular rights and appurtenances thereto in anywise belonging, unto the said Grantees, Grantees' heirs and assigns forever; and Grantors do hereby bind Grantors, Grantors' heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantees, Grantees' heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the Vendor's Lien, as well as the superior title in and to the above described premises, is retained against the above described property, premises and improvements until the above described notes and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Executed this 1st day of JUNE, A.D., 1990.

Delmer G. Tipps
DELMER G. TIPPS
Margaret Elone Tipps
MARGARET ELONE TIPPS

PREPARATION OF THIS INSTRUMENT DOES NOT IN ANY MANNER RENDER AN OPINION AS TO THE TITLE OF THIS PROPERTY.

LAW OFFICE OF
GLENN W. MICHALK

101-20-01040E 157

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on this 1st day of JUNE, 1990, by DELMER G. TIPPS and wife, MARGARET ELONE TIPPS.



GLENN W. MIC...
Notary Public
STATE OF TEXAS

My Comm Exp Dec 30, 1992

A handwritten signature in cursive script, appearing to read "Glenn W. Mic...", written over a horizontal line.

NOTARY PUBLIC FOR THE STATE OF TEXAS

Printed Name of Notary Public

My commission expires: _____

BOUNDARY DESCRIPTION AND FIELD NOTES FOR
17.85 ACRES IN THE LEWIS WALKER SURVEY
IN BELL COUNTY, TEXAS

All that certain lot, tract, or parcel of land lying and being situated in the County of Bell, State of Texas, and being part of the Lewis Walker Survey, Abstract Number 860 and being part of the 747.71 acre tract as recorded in Volume 1227, Page 797 of the Deed Records of Bell County, Texas and being more particularly described as follows:

BEGINNING at an iron pin on the North right-of-way line of the AT and SF Railroad, said iron pin also being N 84° 00' 36" W 53.73 feet from the Southwest corner of of a 5.824 acre tract recorded in Volume 1492, Page 733 of the Deed Records of Bell County, Texas for the Southeast corner of this;

THENCE along the North right-of-way line of the AT and SF Railroad N 84° 00' 36" W 477.49 feet to an iron pin for the Southwest corner of this;

THENCE N 19° 06' 41" E 495.72 feet to an iron pin; N 71° 22' 31" W 206.82 feet to an iron pin; and N 18° 43' 24" E 1208.52 feet to a fence post on the South right-of-way line of Sparta Road for the Northwest corner of this;

THENCE along the South right-of-way line of Sparta Road S 80° 41' 16" E 449.78 feet to a fence corner post for the Northeast corner of this;

THENCE S 19° 54' 05" W 1001.43 feet to an iron pin; S 74° 04' 12" E 99.23 feet to an iron pin and S 2° 00' 36" W 629.83 feet to an iron pin, N 87° 25' 02" W 49.60 feet to an iron pin; and S 5° 48' 33" W 59.94 feet to the place of BEGINNING and containing 17.85 acres of land more or less.

I HEREBY CERTIFY that these field notes were prepared by computations and an actual survey on the ground and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this 18th day of February, 1905 A.D.

PARKER-BARRIER ASSOCIATES/JONES AND HEUSE, INC.

Thomas D. Barrier
Thomas D. Barrier
Registered Public Surveyor
No. 2498

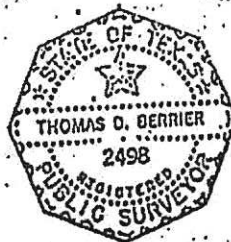


EXHIBIT "A"

VOL. 2640 PAGE 199

BOUNDARY DESCRIPTION AND FIELD NOTES FOR
5.97 ACRES IN THE LEWIS WALKER SURVEY
IN BELL COUNTY, TEXAS

All that certain lot, tract, or parcel of land lying and being situated in the County of Bell, State of Texas, and being part of the Lewis Walker Survey, Abstract Number 860 and being part of a 17.85 acre tract as recorded in Volume 2069, Page 629 of the Deed Records of Bell County, Texas and being more particularly described as follows:

BEGINNING at a fence corner post on the South right-of-way line of Sparta Road, said fence corner post being the Northwest corner of above mentioned 17.85 acres for the Northwest corner of this;

THENCE along the South right-of-way line of Sparta Road S 80° 41' 16" E 220.0 feet to an iron pin for the Northeast corner of this;

THENCE S 19° 11' 37" W 1245.38 feet to an iron pin for the Southeast corner of this;

THENCE N 71° 02' 31" W 206.82 feet to an iron pin for the Southwest corner of this;

THENCE N 18° 43' 24" E 1208.52 feet to the place of BEGINNING and containing 5.97 acres of land more or less.

I HEREBY CERTIFY that these field notes were prepared by computations and an actual survey on the ground and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this 10th day of November, 1987 A. D.

JONES AND NEUSE, INC. - BELTON BRANCH

Thomas D. Berrier
Thomas D. Berrier
Registered Public Surveyor
No. 2498

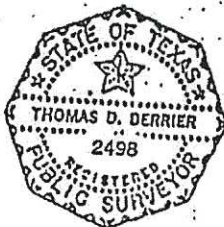


EXHIBIT "B"

VADA SUTTON
CNTY CLERK, BELL CNTY TX.
DEPUTY

90 JUN 12 AM 11 34

FILED FOR RECORD

011785

VOL 2640 PAGE 200

#10

RP 01/02/2009



Doc# 00000113

Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: December 30, 2008

Grantor: KERRY R. PEREZ, not joined herein by my spouse, Raymond M. Perez, as no part or portion of the Property constitutes our homestead.

Grantor's Mailing Address: [include county] 111 Windridge
Harker Heights, Bell County, Texas 76548

Grantee: CHESTER E. DICKSON and LINDA DIANE DICKSON, husband and wife.

Grantee's Mailing Address: [include county] 24 West Rivercrest Drive
Houston, Harris County, Texas 77042-2127

Consideration: Ten Thousand Dollars (\$10,000.00) and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of one hundred eighty-two thousand six hundred eighteen dollars and thirty-seven cents (\$182,618.37). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Ronald E. Pearson, trustee.

Property (including any improvements):

Being 6.66 acres of land, more or less, out of the Lewis Walker Survey, Abstract 860, In Bell County, Texas, and being more particularly described by metes and bounds in exhibit "A" attached hereto and incorporated herein.

Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining lands owners in any walls and fences situated on a common boundary; any discrepancies, conflicts

Z:\Legal Files\Real Estate\Dickson, Chet - Perez\Perez - Warranty Deed w VL.doc

CONFIDENTIAL COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019

119033 FTB

2200



Shelley Costan
CO. CLERK, BELL CO., TX

shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the 2009 calendar year which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Exceptions to Conveyance and Warranty.

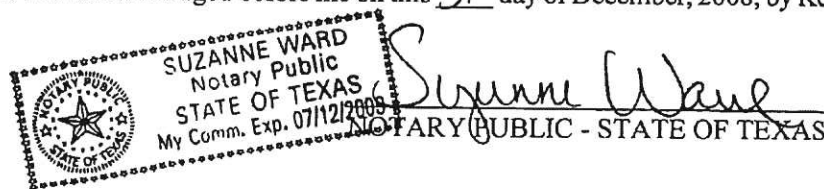
The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.


Kerry R. Perez

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 31 day of December, 2008, by Kerry R. Perez.



Prepared in the law offices of:
PEARSON & PEARSON
2109 Bird Creek Terrace
Temple, Texas 76502-1083
Telephone: (254) 778-0699

CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

FEB 15 2019



Chet Dickson
CO. CLERK, BELL CO., TX

Being a 6.66 acre tract of land being part of the Lewis Walker Survey, Abstract No. 360, Bell County, Texas, being all of that tract of land conveyed to Lindell Ray Bishop, as recorded in Volume 1732, Page 127, Deed Records, Bell County, Texas, SAVE AND EXCEPT that tract of land conveyed to Chester E. Dickson et ux Linda Diane Dickson as recorded in Volume 2735, Page 113, said Deed Records; said 6.66 acre tract being more fully described as follows:

BEGINNING at a 6"x6" wood fence post in the South margin of Sparta Road, said post being the Northeast corner of a tract of land conveyed to Chester E. Dickson and wife Linda Diane Dickson, as recorded in Volume 2640, Page 197, said Deed Records, the Northwest corner of said Bishop tract, for the Northwest corner of the herein described tract;

THENCE, S 79° 53' 16" E, 291.10 feet, with the South margin of said Sparta Road, the North line of said Bishop tract and the North line of the herein described tract to a 4" steel post in the South margin of said Sparta Road, said rod being the Northwest corner of the above mentioned Dickson tract (2735/113), the Northeast corner of said Bishop tract, for the Northeast corner of the herein described tract;

THENCE, S 19° 36' 05" W (Reference Bearing per Deed - 2735/113), 972.32 feet, with the West line of said Dickson (2735/113) tract, the East line of said Bishop tract and the East line of the herein described tract to a 4" steel fence post in the North line of a tract of land conveyed to Chester E. Dickson, as recorded in Volume 2262, Page 389, said Deed Records, said rod being the Southwest corner of said Dickson (2735/113) tract, the Southeast corner of said Bishop tract, for the Southeast corner of the herein described tract;

THENCE, S 89° 59' 05" W; 208.59 feet, with the North line of said Dickson (2262/389) tract, the South line of said Bishop tract and the South line of the herein described tract to a 1/2" iron rod found, said rod being a corner in the East line of said Dickson (2640/197) tract, the Northwest corner of said Dickson (2262/389) tract, a corner in the South line of said Bishop tract, for a corner in the South line of the herein described tract;

THENCE, N 73° 57' 04" W, 99.32 feet (N 74° 02' 16" W, 99.47 feet - deed), with the East line of said Dickson (2640/197) tract, the South line of said Bishop tract and the South line of the herein described tract to a 1/2" iron rod found in the East line of said Dickson (2640/197) tract, said rod being the Southwest corner of said Bishop tract, for the Southwest of the herein described tract;

THENCE, N 20° 05' 25" E, 1000.44 feet with the East line of said Dickson (2640/197) tract, the West line of said Bishop tract, the West line of the herein described tract to **THE PLACE OF BEGINNING**, containing 6.66 acres of land, more or less.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

FEB 15 2019



Pretty Coston
CO. CLERK, BELL CO., TX

Exhibit "A"

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2009-00000113

As
Recordings

Recorded On: January 02, 2009

Parties: PEREZ KERRY R
To DICKSON CHESTER E

Billable Pages: 3
Number of Pages: 4

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	22.00
Total Recording:	22.00

***** DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2009-00000113
Receipt Number: 44086
Recorded Date/Time: January 02, 2009 02:27:21P

Record and Return To:

FIRST COMMUNITY TITLE
4613 S 31ST
TEMPLE TX 76502

User / Station: N Mitchell - Cash Station 1

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property
Records in Bell County, Texas



Shelley Coston
Bell County Clerk

Handwritten signature of Shelley Coston in cursive.



Shelley Coston
CO. CLERK, BELL CO., TX

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FEB 15 2009

By: S. Martinez

WARRANTY DEED

DATE: June 7, 1991

GRANTOR: Lindell Ray Bishop
GRANTOR'S MAILING ADDRESS: Rt. 5, Box 5791, Belton,
Bell County, Texas 76513

GRANTEE: Chester E. Dickson et ux Linda Diane Dickson
GRANTEE'S MAILING ADDRESS: 24 W. Rivercrest, Houston,
Harris County, Texas 77042

CONSIDERATION: TEN AND NO/100 (\$10.00) DOLLARS and other
valuable consideration.

PROPERTY: All that certain lot, tract or parcel of land in
Bell County, Texas, out of and a part of the Lewis Walker Survey,
Abstract No. 860, being more particularly described by metes and
bounds on Exhibit "A", attached hereto and made a part hereof for
all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to the following
matters, to the extent same are in effect at this time: any and
all reservations, restrictions, covenants, conditions and
easements, if any, relating to the hereinabove described
property, but only to the extent they are still in effect and
shown of record in the hereinabove mentioned County and State,
and to all zoning laws, regulations and ordinances of municipal
and/or other governmental authorities, if any, but only to the
extent that they are still in effect, relating to the hereinabove
described property.

Grantor, for the consideration and subject to the reservations
from and exceptions to conveyance and warranty, GRANTS, SELLS,
AND CONVEYS to Grantee the property, together with all and
singular the rights and appurtenances thereto in any wise
belonging, TO HAVE AND HOLD IT to Grantee, Grantee's heirs,
executors, administrators, successors, or assigns forever.
Grantor binds Grantor and Grantor's heirs, executors,
administrators, and successors to warrant and forever defend all
and singular the property to Grantee and Grantee's heirs,
executors, administrators, successors, and assigns against every
person whomsoever lawfully claiming or to claim the same or any
part thereof, except as to the reservations from and exceptions
to conveyance and warranty.

When the context requires, singular nouns and pronouns include
the plural.



LINDELL RAY BISHOP

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AUG 14 2018




CO. CLERK, BELL CO., TX

VOL. 2735 PAGE 113

STATE OF TEXAS §
COUNTY OF BELL §

(ACKNOWLEDGEMENT)

This instrument was acknowledged before me on the 14th day of June, 1991 by Lindell Ray Bishop.



Dora Sandlin
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:

MESSER, POTTS & MESSER
P. O. BOX 969
BELTON, TEXAS 76513

91-104/BISHOP/DEED
DISKE: MISC/1
ANP:dts

VM. 2735 PAGE 114

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AUG 14 2018



Dorothy Coston
CO. CLERK, BELL CO., TX

FRANK MARTIN ENGINEERS, INC.

CONSULTING ENGINEERS - SURVEYORS - PLANNERS

P. O. BOX 2031 • TEMPLE, TEXAS 76503

(817) 778-8235

Field note description of a 8.28 acre tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of that certain 15.000 acre tract of land described in a deed to LINDELL RAY BISHOP, of record in Volume 1732, Page 127 of the Deed Records of Bell County, Texas.

Beginning at a 1/2" iron pin found in the south margin of Sparta Road, being the northeast corner of said 15.000 acre tract, and being the northeast corner of this tract;

Thence with the east line of said 15.00 acre tract, S 16 deg 08 min 37 sec W, a distance of 738.82 feet to a 6" cedar post, being the most easterly southeast corner of said 15.000 acre tract, and being the most easterly southeast corner of this tract;

Thence with a south line of said 15.000 acre tract, N 73 deg 47 min 30 sec W, a distance of 311.40 feet to a 1/2" iron pin found, being a corner of said 15.000 acre tract, and being a corner of this tract;

Thence with the most southerly east line of said 15.000 acre tract, S 22 deg 38 min 55 sec W, a distance of 237.20 feet to a 4" metal fence post, being the most southerly southeast corner of said 15.000 acre tract, and being the most southerly southeast corner of this tract;

Thence with the south line of said 15.000 acre tract, N 88 deg 49 min 45 sec W, a distance of 154.13 feet to a 4" metal fence post, being the southwest corner of this tract;

Thence N 19 deg 36 min 05 sec E, a distance of 972.23 feet to a 4" metal fence post in the south margin of said road, same being the north line of said 15.000 acre tract, and being the northwest corner of this tract;

Thence with the south margin of said road, same being the north line of said 15.000 acre tract, S 79 deg 39 min 14 sec E, a distance of 430.73 feet to the place of beginning, containing in all 8.28 acres of land.

That I, Frank G. Martin Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby certify that I did cause to be surveyed on the ground the tract of land described above and the description is true and correct. There are no discrepancies, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way with regards to said survey, except as shown hereon. This property has access to a public road.

May 10, 1991

Frank G. Martin Jr.

Frank G. Martin Jr.
R. P. L. S. No. 2856



VOL. 2735 PAGE 118

CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

AUG 14 2018



Dwight Costen
CO. CLERK, BELL CO., TX

Let Office of
MESSER, PUTS, & MESSER
P. O. Box 999
Belton, Texas 76513

012168

FILED FOR RECORD

'91 JUN 19 PM 12 50

VADA SUTTON
CNTY CLERK, BELL CNTY TX.
BY *[Signature]* DEPUTY

\$17.00

pk.

100-5493735-116
PAGE 116

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AUG 14 2018



Vadette Costen
CO. CLERK, BELL CO., TX

By: *Mayra Ramirez*

WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

That ARTHUR MARCENE CANTRELL (being the same person as ARTHUR M. CANTRELL) and wife, MYRTICE N. CANTRELL (being the same person as MYRTICE CANTRELL), of the County of Bell and State of Texas, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CHESTER E. DICKSON and wife, DIANE DICKSON, of the County of Bell and State of Texas, all of the following described real property in Bell County, Texas, to-wit:

All those certain tracts of land described on "Exhibit A," attached hereto and made a part hereof for all purposes.

This conveyance is expressly made subject to any and all restrictions, covenants, conditions and easements, if any, relating to the property conveyed, but only to the extent they are still in effect and shown of record, and to all zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, but only to the extent that they are still in effect, relating to the herein described property.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantees, their heirs and assigns forever; and we do hereby bind our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantees, their heirs

VOL. 2346 PAGE 121

and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 2nd day of July, 1990.

Arthur Marcene Cantrell
ARTHUR MARCENE CANTRELL

Myrtice N. Cantrell
MYRTICE N. CANTRELL

Mailing address of each Grantee:

Name: Chester E. Dickson and Diane Dickson
Address: 24 West Rivercrest
Abilene, Tex 77042

(Acknowledgment)

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 2nd day of July, 1990, by ARTHUR MARCENE CANTRELL and wife, MYRTICE N. CANTRELL.



Theresa Schuetz
Notary Public, State of Texas

VOL. 2646 PAGE 122

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:

M. M. Wade
P. O. Box 328
Belton, Texas 76513

FIRST TRACT:

All that certain tract of land out of the Lewis Walker Survey, Abstract No. 860 in Bell County, Texas, being out of and a part of that certain 747.71 acre tract described in a deed to Don Kelly et ux, of record in Volume 1227, Page 797, Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at the Northeast corner of that certain 5.057 acre tract described in a Deed to Arthur M. Cantrell, recorded in Volume 1503, Page 663, Deed Records of Bell County, Texas, an iron pin for the southeast corner of this;

THENCE N 73 deg. 50' 11" W 150.06 feet along the North line of said 5.057 acre tract to an iron pin for the Southwest corner of this;

THENCE N 16 deg. 00' 38" E 778.89 feet to an iron pin in the South margin of Sparta Road for the Northwest corner of this;

THENCE S 79 deg. 39' 14" E 151.46 feet along the South margin of Sparta Road to an iron pin for the Northeast corner of this;

THENCE along the West margin of a road easement S 17 deg. 35' 21" W 389.20 feet an iron pin, and S 14 deg. 25' 56" W 365.33 feet to the place of BEGINNING, containing 2.487 acres of land.

SECOND TRACT:

Being a tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of and a part of that certain 747.71 acre tract described in a deed to Don H. Kelly et ux, of record in Volume 1227, Page 797, Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at the Northwest corner of that certain 2.56 acre tract described in a deed to Gerald R. Neumann et ux, of record in Volume 1424, Page 739, Deed Records of Bell County, Texas, an iron pin for the Southwest corner of this;

THENCE N 4 deg. 24' 05" E 348.28 feet to an iron post for a corner of this;

THENCE N 22 deg. 30' 51" E 236.66 feet to an iron pin for the Northwest corner of this;

THENCE S 73 deg. 50' 11" E 461.31 feet to an iron pin in the west margin of a road easement (width 20 ft.) and being the Northeast corner of this;

THENCE S 14 deg. 31' 27" W 256.26 feet along the west margin of said road easement to an iron pin for the most Easterly Southeast corner of this;

THENCE along the fence N 74 deg. 27' 05" W 27.5 feet to an iron post for an ell corner of this;

THENCE S 48 deg. 20' 43" W 264.54 feet to an iron pin for an ell corner of this;

THENCE S 2 deg. 43' 35" E 11.89 feet to an iron pin for the most Southerly Southeast corner of this;

THENCE S 86 deg. 21' 20" W 135.28 feet to an iron pin for a corner of this;

THENCE N 2 deg. 33' 20" W 8 feet to an iron pin for an ell corner of this;

THENCE S 86 deg. 28' 49" W 137.46 feet along the north line of said 2.56 acre tract to the place of beginning, containing 5.057 acres of land;

TOGETHER with a perpetual non-exclusive right of ingress and egress along, over and across the following described property, to-wit: Being a tract of land 20 feet wide, the center line of which is as follows:

BEGINNING at a point that is S 74 deg. 27' 5" E 37.69 ft. from the northwest corner of Tract B in a Deed from Don H. Kelly et ux to Thomas A. Cox et ux, recorded in Volume 1407, Page 797, Deed Records, Bell County, Texas, for the Southe end of this;

THENCE N 14 deg. 31' 37" 621.38 feet, and N 17 deg. 31' 17" E 387.95 feet to a point in the South margin of Sparta Road for the north end of this.

EXHIBIT "A"

VOL. 2646 PAGE 123

013352

FILED FOR RECORD

'90 JUL 3 AM 9 41

VACATION
CLERK BELL COUNTY TX.
BY *M. [Signature]* DEPUTY

721
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7.00

VOL. 2646 PAGE 124

13

NOTICE

Prepared by the State Bar of Texas for use by Lawyers only. Reviewed 1-1-76.
To select the proper form, fill in blank spaces, strike out form provisions or
insert special terms constitutes the practice of law. No "standard form" can
meet all requirements.

H3155-1

WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS
COUNTY OF BELL

} KNOW ALL MEN BY THESE PRESENTS:

That we, JAMES R. HEATH and wife, JACQUELINE I. HEATH

of the County of Grant and State of Louisiana for and in
consideration of the sum of TEN AND NO/100-----(\$10.00)-----
-----DOLLARS

and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which
is hereby acknowledged, and the further consideration of the execution and delivery by grantees of
their one certain promissory note of even date herewith in the principal sum of \$62,000.00
payable to the order of WESTCHASE NATIONAL BANK, at its office in Houston, Harris County,
Texas, as therein provided and bearing interest at the rates therein specified and providing
for acceleration of maturity in event of default and for attorney's fees.

the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed
of trust of even date herewith to KENNETH C. ISHAM Trustee,
have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto
CHESTER E. DICKSON and wife, LINDA DIANE DICKSON whose mailing address is:
24 W. River Crest, Houston, Texas 77042
of the County of Harris and State of Texas, all of the following described real
property in Bell County, Texas, to-wit:

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Dorothy Costan
CO. CLERK, BELL CO., TX

1874 653

1874 654

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee s, their heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantees , their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

EXECUTED this 29th day of

June

, A. D. 1983

James R. Heath
JAMES R. HEATH
Jacqueline I. Heath
JACQUELINE I. HEATH

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Dorothy Coston
CO. CLERK, BELL CO., TX

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared

JAMES R. HEATH, and wife, JACQUELINE I. HEATH
known to me to be the person..... whose names..... subscribed to the foregoing instrument, and acknowledged to me
that..... he..... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 29th day of June, A.D. 19 83



James Potts
Notary Public in and for Bell County, Texas.
My commission expires June 3, 19 87.
Janie Potts
(Printed or stamped name of notary)

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me to be the person..... whose name..... subscribed to the foregoing instrument, and acknowledged to me
that..... he..... executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A.D. 19 _____

Notary Public in and for _____ County, Texas.
My commission expires _____, 19_____

(Printed or stamped name of notary)

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Philly Costen
CO. CLERK, BELL CO., TX

1874 656

certain tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of and a part of that 747.71 acres described in a deed to Don Kelly et ux, and recorded in Vol. 1227 Page 797 of the Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin in the south margin of the old Sparta Road and being N 62° 53' 22" W 1208.78 ft.; N 55° 43' 29" W 1214.25 ft.; N 48° 10' 25" W 411.77 ft.; N 52° 13' 13" W 184.37 ft.; and N 63° 41' 23" W 116.55 ft. from the northeast corner of said 747.71 acre tract and being the northeast corner of this;

THENCE N 63° 41' 23" W 423.48 ft. along the south margin of said road to an iron pin in the east margin of an access easement (width 20 ft.) for the northwest corner of this;

THENCE along the east margin of said road easement S 17° 31' 37" W 386.14 ft. an iron pin; and S 14° 31' 37" W 621.54 ft. to an iron pin for the southwest corner of this;

THENCE S 74° 27' 05" E 103.94 ft. along a fence on the north line of a 3.35 acre tract to a post for the northeast corner of said 3.35 acre tract and a corner of this;

THENCE S 59° 21' 30" E 155.96 ft. an iron pin; and S 75° 53' 23" E 197.35 ft. to an iron pin for the southeast corner of this;

THENCE N 13° 33' 23" E 964.52 ft. to the place of beginning, and containing 10 acres. This is the same tract of land described in a deed to Tommy B. Truelove et ux, and recorded in Vol. 1494 Page 471 of the Deed Records of Bell County, Texas.

EXHIBIT A PAGE 1

FILED FOR RECORD THIS 19 DAY OF JULY, 1983 1145 A.M.
MRS RUBY MCKEE, COUNTY CLERK, BELL COUNTY, TEXAS BY R. Hollas DEPUTY

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Dorothy Costan
CO. CLERK, BELL CO., TX

By: J. Martinez

#14

2132/774

WARRANTY DEED

THE STATE OF TEXAS
COUNTY OF BELL

*
* KNOW ALL MEN BY THESE PRESENTS:
*

That CROWLEY AND ASSOCIATES, INC., A Texas Corporation
6505 So. Fresno-#11, Ft. Smith 72903

of the County of Sebastian and the State of Arkansas for and in consideration of the sum of -----TEN AND NO/100-----(\$10.00)-----DOLLARS----- and other valuable consideration to the undersigned paid by the grantees herein named, the receipt of which is hereby acknowledged,

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto

CHESTER E. DICKSON and wife, LINDA D. DICKSON,
24 W. Rivercrest, Houston 77042

of the County of Harris and State of Texas, all of the following described real property in Bell County, Texas, to-wit:

All that lot, tract, or parcel of land as shown in EXHIBIT "A" which is attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantees, their heirs and assigns forever; and it does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 14th day of JANUARY, A.D. 1986.

ATTEST:

[Signature]
TOH E. CROWLEY, SECRETARY

CROWLEY AND ASSOCIATES, INC.

BY: [Signature]
MARY SUE CROWLEY, President

IDENTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



[Signature]
COUNTY CLERK, BELL CO., TX

EXHIBIT "A"

A tract of land out of the Lewis Walker Survey, Abstract No. 860 in Bell County, Texas, and being out of and a part of that 747.71 acre tract described in a deed to Don Kelly, et ux and of record in Volume 1227, Page 397, of the Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin in the south margin of the Old Sparta Road and being N 62° 53' 22" W 1208.78 feet; N 55° 43' 29" W 1214.25

feet and N 48° 10' 25" W 384.38 feet from the northeast corner of said 747.71 acre tract and being the northeast corner of this; and being the northwest corner of a tract of 13.11 acres described in Deed to J. C. Dupree in Volume 1701, Page 63, Deed Records, Bell County, Texas;

THENCE along the south margin of the Old Sparta Road as fenced: N 48° 29' 34" W 27.39 feet a post; N 52° 09' 51" W 184.49 feet a post and N 63° 41' 37" W 116.90 feet an iron pin at the northeast corner of a 10 acre tract described in Deed from William E. Taylor and wife, Margie B. Taylor to James R. Heath and wife, Jacqueline I. Heath dated August 2, 1979, recorded in Volume 1621, Page 232, Deed Records, Bell County, Texas, for the most northerly northwest corner of this;

THENCE along the east line of said 10 acre tract S 13° 33' 23" W 964.52 feet an iron pin for the southeast corner of said 10 acre tract and an ell corner of this;

THENCE N 75° 53' 23" W 197.35 feet an iron pin and N 59° 21' 30" W 155.96 feet a post at the northeast corner of a 3.35 acre tract for the most westerly northwest corner of this;

THENCE along the east line of said 3.35 acre tract as fenced: S 14° 44' 01" W 260.72 feet an iron pin; S 29° 57' 23" W 193.23 feet an iron pin; and S 12° 35' 25" W 134.98 feet an iron pin in the north margin of the A.T. and S.P. Railroad for the southwest corner of this;

THENCE along the north margin of said railroad S 83° 25' 16" E 413.16 feet a post; S 58° 58' 10" E 73 feet an iron pin; and S 84° 40' 36" E 232.75 feet an iron pin for the southeast corner of this; being also the southwest corner of a tract of 13.11 acres described in a Deed from Don H. Kelly and wife, Jean Kelly to J. C. Dupree dated November 26, 1980, of record in Volume 1701, Page 63, Deed Records, Bell County, Texas;

THENCE N 13° 34' 23" E 1321.37 feet to the place of beginning, containing 14.32 acres; being the same tract of land conveyed by Don H. Kelly and wife, Jean Kelly to Bobby L. Key and wife, Elsie Key, dated December 15, 1976, and of record in Volume 1426, Page 721, Deed Records of Bell County, Texas.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Priddy Coston
CO. CLERK, BELL CO., TX

21321.775

21327 776


THE STATE OF ARKANSAS

*
*
*

COUNTY OF Sebastian

Before me, the undersigned authority, on this day personally appeared MARY SUE CROWLEY, President of CROWLEY AND ASSOCIATES, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the 14th day of JANUARY, A.D. 1986.

Sarah Smith
Notary Public, State of Arkansas
My Commission Expires: 7-20-89


STATE OF TEXAS

COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared TOL E. CROWLEY, Secretary of CROWLEY AND ASSOCIATES, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity thereinstated and as the act and deed of said corporation.

Given under my hand and seal of office on this the 16th day of January, 1986.

Linda Wharton
Notary Public, State of Texas

LINDA WHARTON
Commission Expires 7-13-87

DEPARTMENT OF COUNTY CLERK
CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE
FEB 15 2019
Cherry Austin
CLERK, BELL CO., TX



FILED FOR RECORDED THIS 17 DAY OF Jan. 1986 1 P M.
MRS RUBY MCKEE-COUNTY CLERK, BELL COUNTY, TEXAS
BY R. Halloran DEPUTY

By: S. Martese

#15

2251
Prepared by the State Bar of Texas for use by lawyers only.
Revised 10-85.
© 1985 by the State Bar of Texas

WARRANTY DEED

Date: September 23, 1991

Grantor: J.C. DUPREE, a single man

Grantor's Mailing Address (including county):
Route #5, Box 5795M
Belton, Bell County, Texas 76513

Grantee: CHESTER E. DICKSON and wife, LINDA DIANE DICKSON

Grantee's Mailing Address (including county):
c/o Terry Sears, Attorney
11500 North West Freeway, Suite #440
Houston, Harris County, Texas 77092

Consideration: \$10.00 and other consideration the receipt of which is hereby acknowledged

Property (including any improvements):

See Property Description on Exhibit "A" attached hereto and incorporated herein for all purposes.

Reservations from and Exceptions to Conveyance and Warranty: None, other than as appear of record in the Official Public Records of Real Property of Bell County, Texas

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

VOL. 2763 PAGE 742

CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

FEB 15 2019



Prattley Coston
CO. CLERK, BELL CO., TX

EXECUTED this 23 day of September, 1991.

J.C. Dupree
J.C. DUPREE, a single man

(Acknowledgment)

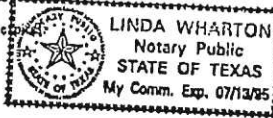
STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on the 23 day of September, 1991
by J.C. DUPREE, a single man

Linda Wharton

Notary Public, State of Texas
Notary's name (printed)

Notary's commission expires:



(Corporate Acknowledgment)

STATE OF TEXAS
COUNTY OF

This instrument was acknowledged before me on the _____ day of _____, 19____
by _____ of _____
a _____ corporation, on behalf of said corporation.

Notary Public, State of Texas
Notary's name (printed):

Notary's commission expires:

AFTER RECORDING RETURN TO:

Terry Sears
Attorney
11500 North West Freeway, #440
Houston, Texas 77092

PREPARED IN THE LAW OFFICE OF:

Stephen E. Blythe
P.O. Box 2088
Temple, Texas 76503

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CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

FEB 15 2019



Patty Costen
CLERK, BELL CO., TX

EXHIBIT "A"

A Tract of land out of the LEWIS WALKER SURVEY, Abstract #860, in Bell County, Texas, and being out of and a part of that certain 747.71 acre tract described in a Deed to Don H. Kelly et al of record in Volume 1227, page 797, Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of that certain 13 acres described in a Deed to Kenneth Sellers et ux, and recorded in Volume 1563, page 601, of the Deed Records of Bell County, Texas, an iron pin for the northeast corner of this;

THENCE S. 16 deg. 54' 51" W. 1007.33 feet along the west line of said 13 acre tract to its southwest corner an iron pin for the northeast corner of this;

THENCE N. 84 deg. 47' 19" W. 460.32 feet along the fence to an iron pin at the southeast corner of a 14.32 acre tract for the southwest corner of this;

THENCE N. 12 deg. 46' 24" E. 1319.56 feet along the east line of said 14.32 acre tract to its northeast corner an iron pin in the south margin of Sparta Road for the northwest corner of this;

THENCE along the south margin of said Sparta Road S. 49 deg. 01' 32" E. 384.46 feet to an iron pin and S. 56 deg. 23' 42" 203.56 feet to the place of BEGINNING, containing 13.11 acres of land, more or less.

VOL. 2763 PAGE 744

91 SEP 23 PM 4 40
VANA SUTTON
CNTY CLERK, BELL CNTY TX.
BY _____
DEPUTY

FILED FOR RECORD

018960

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DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Patricia Costin
CO. CLERK, BELL CO., TX

By: S. Martinez

WARRANTY DEED

DATE: September 16, 1988

GRANTOR: KENNETH E. SELLERS and wife, FRANCES E. SELLERS
Route 5, Box 5797
Belton, Bell County, Texas 76513

GRANTEE: CHESTER E. DICKSON and DIANE M. DICKSON
24 W. River Crest
Houston, Harris County, Texas 77042

CONSIDERATION: TEN AND NO/100 DOLLARS and other valuable consideration

PROPERTY: All that lot, tract or parcel of land situated in Bell County, Texas, as shown in EXHIBIT "A" which is attached hereto and made a part hereof for all purposes.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters emanating from and existing by reason of the creation, establishment, maintenance; taxes for current year, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Subject to reservation in Deed dated April 9, 1888, of record in Volume 64, Page 119, Deed Records, Bell County, Texas, from C. F. McMAHON.

One-third (1/3) of One Eighth (1/8) (being 1/24) non-participating royalty interest in all of the oil, gas and other minerals in and under the herein described property, reserved by WENDELL B. LANGFORD and wife, ARMANDINA LANKFORD, in instruments recorded in Volume 1227, Page 797, Deed Records, Bell County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor

(WK300 WD MOD)

VOL. 2460 PAGE 708

EXHIBIT "A"

BOUNDARY DESCRIPTION AND FIELD NOTES FOR
10.00 ACRES IN THE LEWIS WALKER SURVEY
IN BELL COUNTY, TEXAS

All that certain lot, tract, or parcel of land lying and being situated in the County of Bell, State of Texas, and being part of the Lewis Walker Survey, Abstract Number 860 and being part of a 13.00 acre tract as recorded in Volume 1563, Page 601 of the Deed Records of Bell County, Texas and being more particularly described as follows:

BEGINNING at an iron pin on the South right-of-way line of Sparta Road, said iron pin being N 56° 31' 10" W 186.68 feet from the Northeast corner of above mentioned 13.00 acres for the Northeast corner of this;

THENCE S 16° 54' 51" W 757.63 feet to an iron pin on the North right-of-way line of G.C. and S.F. Railroad for the Southeast corner of this;

THENCE along the North right-of-way line of the G.C. and S.F. Railroad N 84° 49' 46" W 504.22 feet to an iron pin for the Southwest corner of above mentioned 13.00 acres for the Southwest corner of this;

THENCE along a fence N 16° 54' 51" E 1007.11 feet to an iron pin on the South right-of-way line of Sparta Road for the Northwest corner of above mentioned 13.00 acres for the Northwest corner of this;

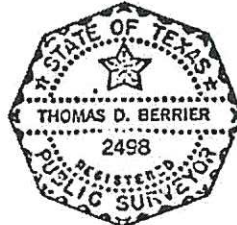
THENCE S 56° 31' 10" E 515.05 feet to the place of BEGINNING and containing 10.00 acres of land more or less.

I HEREBY CERTIFY that these field notes were prepared by computations and an actual survey on the ground and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this 7th day of September, 1988 A. D.

JONES AND NEUSE, INC. - BELTON BRANCH

Thomas D. Berrier
Thomas D. Berrier
Registered Public Surveyor
No. 2498



JN# 2088.062

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binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Kenneth E. Sellers
KENNETH E. SELLERS

Frances E. Sellers
FRANCES E. SELLERS

STATE OF TEXAS *
COUNTY OF BELL *

This instrument was acknowledged before me on September 26, 1988, by KENNETH E. SELLERS and wife, FRANCES E. SELLERS.



Linda Wharton
Notary Public, State of Texas
Notary's Commission Expires: _____

PREPARED IN THE LAW OFFICE OF:

MICHAEL F. GIBBS
206 E. Cen. Ave.
P. O. Box 907
Belton, Texas 76513
(817) 939 7600

AFTER RECORDING RETURN TO:

(WK300 WD MOD)

VOL. 2460 PAGE 710

023186

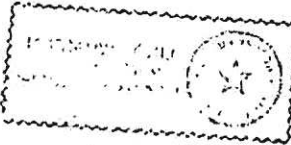
FILED FOR RECORD

'88 SEP 27 AM 11 01

VADA SUTTON
CNTY CLERK, BELL CNTY TX.
BY js DEPUTY

VOL. 2460 PAGE 711

BELL COUNTY ABSTRACT COMPANY
BCAC OF 35913



RECORDED
INDEXED
SEP 27 1988
BELL COUNTY CLERK'S OFFICE
MCKINNEY, TEXAS

WARRANTY DEED WITH VENDOR'S LIEN

Date: JULY 31, 1992

Grantor (whether one or more): RICHARD K. HURLEY and wife, JACQUELINE HURLEY

Grantor's Mailing Address (including county): 1717 S.W. H.K. Dodgen Loop, Suite 107, Temple, Texas 76502

Grantee (whether one or more): CHESTER E. DICKSON and wife, LINDA DIANE DICKSON

Grantee's Mailing Address (including county): 24 West Rivercrest, Houston, Harris County, Texas 77042

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration paid to Grantor by Grantee and a note of even date that is in the principal amount of TWO HUNDRED SIXTY-SEVEN THOUSAND, ONE HUNDRED AND NO/100 DOLLARS (\$267,100.00) and is executed by Grantee, payable to the order of Grantor, as therein provided and bearing interest at the rate therein specified, providing for acceleration of maturity and for attorney's fees. The note is secured by a vendor's lien retained in favor of Grantor in this deed and by a deed of trust of even date therewith from Grantee to MARSHA L. SCHILLER-LUNDE, Trustee.

This conveyance is made SUBJECT to the prior lien of a Deed of Trust recorded in Volume 2083, Page 206, of the Deed of Trust Records of Bell County, Texas, from RICHARD K. HURLEY and wife, JACQUELINE HURLEY, to GEORGE DULANY, Trustee, for the benefit of GERALD R. NEUMANN and wife, ANN B. NEUMANN, which Deed of Trust secures payment of a promissory note dated AUGUST 16, 1985, in the original principal amount of THREE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$350,000.00). Grantee in this deed does not assume payment of that \$350,000.00 note. Payee of the \$267,100.00 wraparound note is obligated to pay all installments on the \$350,000.00 note as they fall due. In the event of default in payment of that \$350,000.00 note, Grantee shall have the right to cure any such default as long as Grantee is not in default in the payment of the wraparound note or in the performance of the covenants of the (Wrap-Around) Deed of Trust securing it. If Grantee cures a default in payment of the \$350,000.00 note, Grantee may receive credit on the \$267,100.00 wraparound note for all amounts so paid as of the date of the payment provided that if Grantor should default by nonpayment of a payment due on the \$350,000.00 note, and Grantee provides Grantor written notice of such default of nonpayment and Grantor does not cure such default or nonpayment within 10 days of receipt of such notice, Grantee may cure such default of nonpayment and receive a 120% credit on the \$267,100.00 wraparound note for the amounts so paid as of the date of payment. Thus if a payment of \$1,000.00 was in default and due on the \$350,000.00 note and Grantee makes such payment after providing the notice and opportunity to cure to Grantee as herein provided, Grantee would be entitled to receive a credit against the \$267,100.00 note in the amount of \$1,200.00.

Property (including any improvements): TRACT 1: Being a tract or parcel of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, containing 311.02 acres, more or less, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and expressly made a part hereof for all purposes;

SAVE AND EXCEPT TRACT 2: A tract of land being out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, containing 3.6294 acres, more or less, and being more particularly described by metes and bounds in Exhibit "B" attached hereto and expressly made a part hereof for all purposes;

SAVE AND EXCEPT TRACT 3: A tract of land being out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, containing 4.895 acres, more or less, and being more particularly described by metes and bounds in Exhibit "C" attached hereto and expressly made a part hereof for all purposes;

SAVE AND EXCEPT TRACT 4: A tract of land being out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, containing 16.347 acres, more or less, and being more particularly described by metes and bounds in Exhibit "D" attached hereto and expressly made a part hereof for all purposes;

In addition to the above described Property, Grantor bargains, sells, and transfers to Grantee all rights Grantor has in and to the right to the use of water from Nolan Creek recorded in Volume 32, Pages 15741-46 of the Water Rights Commission, certificate filed in Volume 1948, Page 837, Deed Records of Bell County, Texas;

L:\FMCHURLEY\DEED1
03/30/1204

VOL. 2867 PAGE 579

Reservations from and Exceptions to Conveyance and Warranty

1. Restrictions shown of record in Volume 2085, Page 653 of the Deed Records of Bell County, Texas;
2. Mineral reservations in Volume 1227, Page 797, Deed Records of Bell County, Texas;
3. Subject to reservation of easement in favor of Kenneth G. Haynes and wife, Bobbie Haynes and Gerald R. Neumann and wife, Ann B. Neumann in a Deed of Record in Volume 1639, page 79, Deed Records of Bell County, Texas;
4. Oil and Gas Lease, dated August 22, 1975, recorded in Volume 1351, page 490, Deed Records, Bell County, Texas;
5. Reservation in a Deed dated April 9, 1938, of record in Volume 64, page 119, Deed Records, Bell County, Texas, from C. F. McMahon to Sarah C. McMahon, and a Deed dated December 11, 1981, from Charles F. McMahon to Sarah C. McMahon, of record in Volume 86, page 227, Deed Records of Bell County, Texas, of a tract of land 50 feet square, set apart for a family graveyard for perpetual use;
6. Easement to Bell County WCID No. 1, of record in Volume 1081, page 267, Deed Records, Bell County, Texas;
7. Easements to Texas Power & Light Company, of record in Volume 371, page 168; 372/207; 373/231; 462/607; 464/559; 558/568 & 569; 480/214; 564/554 & 557; 568/400 & 608; 600/525; 777/223; 806/297; 810/633; 814/487; 828/586; 891/367; 910/309; 918/56 and 1559/117, Deed Records, Bell County, Texas.
8. All easements, rights-of-way and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, agreements and maintenance charges, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations and other matters emanating from and existing by reason of the creation, establishment, maintenance and operation of any County Water Improvement District, Municipal Utility District or similar governmental or quasi-governmental agency; existing building and zoning ordinances and environmental regulations; rights of parties in possession; taxes for the year 1992, the payment of which Grantee assumes, and subsequent assessments for that and prior years due to change in land usage, ownership or both, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

Grantee accepts the Property in its present condition "AS IS, WHERE IS WITH NO WARRANTIES, OR REPRESENTATIONS, EXPRESS OR IMPLIED OR ARISING BY OPERATION OF LAW, INCLUDING BUT IN NO WAY LIMITED TO, ANY WARRANTY OF CONDITION, HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY". Grantor shall have no obligation or responsibility for defects or to make repairs, unless otherwise specifically set forth herein.

No responsibility for validity of real estate title is assumed by attorneys preparing this instrument unless a written title opinion rendered.

EXECUTED on the day and year first above written.

Richard K. Hurley
RICHARD K HURLEY
Jacqueline Hurley
JACQUELINE HURLEY

Executed for the purpose of acceptance of this deed pursuant to the terms and conditions thereof.

Chester E. Dickson
CHESTER E. DICKSON

Linda Diane Dickson
LINDA DIANE DICKSON

VOL. 2867 PAGE 581

(ACKNOWLEDGMENT)

THE STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on the 31 day of JULY, 1992, by RICHARD K. HURLEY.



Tammie Moore
NOTARY PUBLIC, STATE OF TEXAS

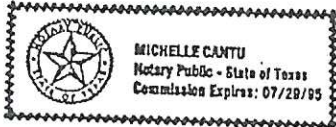
Tammie Moore
Notary's name (printed)

Commission expires: 6-8-96

(ACKNOWLEDGMENT)

THE STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on the 31st day of JULY, 1992, by JACQUELINE HURLEY.



Michelle Cantu
NOTARY PUBLIC, STATE OF TEXAS

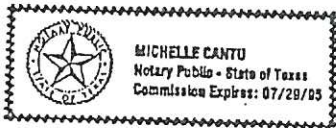
Michelle Cantu
Notary's name (printed)

Commission expires: 07-29-95

(ACKNOWLEDGMENT)

STATE OF TEXAS §
COUNTY OF Bell §

This instrument was acknowledged before me on this the 31st day of JULY, 1992, by CHESTER E. DICKSON.



Michelle Cantu
NOTARY PUBLIC, STATE OF TEXAS

Printed name of Notary:
Michelle Cantu

Commission Expires: 7-29-95

(ACKNOWLEDGMENT)

STATE OF TEXAS §
COUNTY OF Bell §

This instrument was acknowledged before me on this the 31st day of JULY, 1992, by LINDA DIANE DICKSON.



Michelle Cantu
NOTARY PUBLIC, STATE OF TEXAS

Printed name of Notary:
Michelle Cantu

Commission Expires: 7-29-95

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#20

The State of Texas,

Know All Men by These Presents:

County of BELL

That Thomas A. Cox and wife, Ruth Moore Cox,

of the County of Bell, State of Texas, for and in consideration of the sum of Ten and no/100 dollars (\$10.00) and other valuable consideration

XXXXXXXXXX

to us cash in hand paid by Chester E. Dickson and wife, Diane M. Dickson, receipt of which is hereby acknowledged, and for the further consideration of the assumption of the payment by the Grantees herein of the ad valorem taxes which may be legally levied and assessed for the year 1980 against the property herein conveyed (such taxes having been prorated and adjusted at the time of closing);

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said

Chester E. Dickson and wife, Diane M. Dickson,

of the County of Harris, State of Texas all that certain tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of and a part of a 747.71 acre tract described in a deed to Don Kelly et ux and of record in Vol. 1227, Page 797, Deed Records of Bell County, Texas, and being more particularly described as follows:

TRACT "A": BEGINNING for reference at the northeast corner of said 747.71 acre tract; THENCE along the south margin of Sparta Road N 62 deg. 53' 22" W 1208.78 ft.; N 55 deg. 43' 29" W 1214.25 ft.; N 48 deg. 10' 25" W 411.77 ft.; N 52 deg. 13' 13" W 184.37 ft.; and N 63 deg. 41' 23" W 550.15 ft. to a point in the center of an access road to the tract being described;

THENCE along the center of said road S 17 deg. 31' 37" W 387.95 ft.; S 14 deg. 31' 37" W 621.38 ft. to a point in the north line of said tract being described;

THENCE S 74 deg. 27' 05" E 114.13 ft. to the point of beginning, and being a post for the northeast corner of this;

THENCE N 74 deg. 27' 05" W 103.94 ft. to a point in the east margin of access road for the northwest corner of this;

THENCE along the east margin of said road S 26 deg. 35' 37" W 161.49 ft. and S 47 deg. 10' 07" W 253.03 ft. to a point in the fence for a corner of this;

THENCE S 23 deg. 05' 27" W 249.44 ft. along the fence to a post for the southwest corner of this;

THENCE S 82 deg. 48' 07" E 265.69 ft. along a fence to a post for the southeast corner of this;

CERTIFIED COPY DOCUMENT ATTACHED IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE

FEB 15 2019

Dorothy Costan CO. CLERK, BELL CO. TX

1671

THENCE along a fence n 12 deg. 35' 25" E 134.98 ft. a post; N 29 deg. 57' 23" W 193.23 ft. a post and N 14 deg. 44' 01" E 260.72 ft. to the place of beginning, containing 2.689 acres.

TRACT "B" BEGINNING at an iron pin that is N 74 deg. 27' 05" W 47.88 ft. from the north west corner of Tract "A" described above, and being the northwest corner of this;

THENCE S 48 deg. 20' 43" W 264.54 ft. along a fence to an iron pin for a corner of this;

THENCE S 2 deg. 43' 35" E 108.46 ft. to an iron pin in the west margin of an access road for the most southerly corner of this;

THENCE along the west margin of said road easement N 47 deg. 10' 07" E 204.63 ft.; and n 26 deg. 35' 37" E 153.96 ft. to a point in the north line of this for the northeast of this;

THENCE N 74 deg. 27' 05" W 27.50 ft. to the place of beginning, containing 0.486 acre with an ACCESS EASEMENT for Tract "A" and Tract "B" (width 20 ft.) having a centerline described as follows: BEGINNING at an iron pin that is S 23 deg. 05' 27" W 23.54 ft. from the most southerly corner of Tract "B" and being the south end of this;

THENCE along the centerline as follows: N 47 deg. 10' 07" E 229 ft.; N 26 deg. 35' 37" E 156.60 ft.; N 14 deg. 31' 37" E 621.38 ft.; and N 17 deg. 31' 37" E 387.95 ft. to a point in the south margin of Sparta Road for the north end of this;

This conveyance is made subject to the utility easements, mineral reservations and the reservation of a fifty (50) square foot tract of land for a family graveyard which are of record in the office of the County Clerk of Bell County, Texas, and which affect the title to this property.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Chester E. Dickson and wife, Diane M. Dickson, their

heirs and assigns forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said Chester E. Dickson and wife, Diane M. Dickson, their heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS our hands xgk

this 30th day of May, 1980

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Thomas A. Cox

 Thomas A. Cox
Ruth Moore Cox

 Ruth Moore Cox

CERTIFIED COPY
 DOCUMENT ATTACHED IS A
 TRUE AND CORRECT COPY
 OF THE ORIGINAL ON FILE

FEB 15 2019

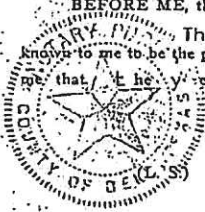


Dalley Coster
 CO CLERK BELL CO. TX

THE STATE OF TEXAS,
COUNTY OF BELL

SINGLE ACKNOWLEDGMENT

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Thomas A. Cox and wife, Ruth Moore Cox, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the 30th day of May A. D. 19 80

Frank Norman

Notary Public in and for Bell County, Texas

THE STATE OF TEXAS,
COUNTY OF

SINGLE ACKNOWLEDGMENT

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,
this the _____ day of _____ A. D. 19 _____

(L. S.)

Notary Public in and for _____ County, Texas

CORPORATION ACKNOWLEDGMENT

FILED FOR RECORD THIS 2 DAY OF JUNE 1980, AT 9 A M.
MRS RUBY MCKEE, COUNTY CLERK, OF BELL COUNTY BY *Russell* DEPUTY.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Prattie Costan
CO. CLERK, BELL CO. TX

By: J. Martinez

1671 637

#16

DL707-68

WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

That we, RICHARD K. HURLEY and wife, JACQUELINE HURLEY, of the County of Bell and State of Texas, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD, AND CONVEYED and by these presents do GRANT, SELL AND CONVEY unto CHESTER E. DICKSON, whose address is West Chase National Bank Building, Suite 409, 9801 Westheimer, Houston, Texas 77042, of the County of Harris, State of Texas, subject to the reservations hereinafter made, all of the following described real property, including all improvements located thereon, in Bell County, Texas, to-wit:

As shown on the attached Exhibits A and B, comprising 8.384 acres, plus an easement from Sparta Road to the tract of land being conveyed, as shown on Exhibit C, attached.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, his heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to the conditions and restrictions below.

This conveyance is made subject to and the grantee herein does not assume payment of the unpaid balance of that certain \$161,000.00 indebtedness described in and secured by a Deed of Trust of record in Volume 1389, Page 307, of the Deed of Trust Records of Bell County, Texas. Grantee as well as any other owner of these premises subject to the \$161,000.00 note shall not be obligated to pay any and all installments falling due thereon as and when due, and in the event of default in the payment of any such installment as and when due, or in default in the performance of the covenants of the Deed of Trust securing said note, grantee or any other owner of these premises subject to the \$161,000.00 note shall have the right to pay any such delinquent installment or installments and to be reimbursed by Grantors for all sums so paid, and in such manner as grantee shall direct, as of the date of such payment.

This conveyance is made and accepted subject to all easements and dedications including easements for existing power lines of Texas Power and Light Company across the property, and this conveyance is further subject to the undivided one-third (1/3) of one-eighth (1/8) being a one-twenty fourth (1/24), non-participating royalty of all oil, gas and other minerals in and to and under the realty described herein, reserved unto Wendell B. Langford and wife, Armandina Langford, as set forth in a deed dated May 24, 1973, Vol. 1227, Page 797, of the Deed Records of Bell County, Texas, and the limitations noted therein.

WARRANTY DEED, Page 1
4rlu076806

LAW OFFICE
OF
GEORGE DULANY
P.O. BOX 765
100 S. EAST ST.
BELTON, TEXAS 76513
A/C 817-939-1811

2262/389

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE
FEB 15 2019



Shelley Costen
CLERK, BELL CO., TX

2262/ 390

D1707-68

This conveyance is subject to all visible easements on the premises.

Grantees assume the payment of the ad valorem taxes for 1986 and subsequent.

The grantors hereby expressly reserve and retain the right to have access in and across said right of way easement as shown on Exhibit C, Page 1, a part hereof, and across the premises described as Exhibit A, Page 1, and Exhibit B, Page 1, a part hereof, herein being conveyed, for the most direct route from the easement in Exhibit C to the said premises owned and being retained by the said grantors which is located south of the premises herein conveyed and south of the railroad tracks adjacent to the said premises, provided however that this easement grant shall expire and terminate and be held void subsequent to December 31, 1991, without extension.

EXECUTED this 31 day of December, 1986.

Richard K. Hurley
Richard K. Hurley

Jacqueline Hurley
Jacqueline Hurley

THE STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the 31 day of December, 1986, by RICHARD K. HURLEY and JACQUELINE HURLEY.



PAM ANDERSON
Dec. 13, 1988

Pam Anderson

Notary Public, Bell County,
Texas

WARRANTY DEED, Page 2
4rlu076807

LAW OFFICE
OF
GEORGE DULANY
P.O. BOX 765
108 S. EAST ST.
BELTON, TEXAS 76513
AC 817 938-1811

CERTIFIED COPY
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OF THE ORIGINAL ON FILE

FEB 15 2019



Betty Costin
CLERK, BELL CO., TX

D1707-68

All that certain tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of and a part of that certain 747.71 acre tract described in a deed to Don Kelly et ux, and of record in Vol. 1227, Page 797, of the Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at the SW corner of that certain 2.56 acre tract described in a deed recorded in Vol. 1424, Page 739, of the Deed Records of Bell County, Texas, an iron pin for the southeast corner of this;

THENCE N 84 deg. 02' W 369.98 ft. along the north margin of A. T. & S. F. Railroad property to an iron pin for the southwest corner of this;

THENCE N-2 deg. 03' 43" E 692.26 ft. to an iron pin for the northwest corner of this;

THENCE S 89 deg. 51' 34" E 362.66 ft. along the fence to a post for the northeast corner of this;

THENCE S 4 deg. 24' 05" W 348.28 ft. the northwest corner of said 2.56 acre tract an iron pin and S 1 deg. 04' 11" E 382.19 ft. to the place of beginning, containing 5.824 acres.

EXHIBIT A

FIELD NOTES
4rlv076805

7762/391

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FEB 15 2019



Shelley Coster
CO. CLERK, BELL CO., TX

D1707-68

All that certain tract of land out of the Lewis Walker Survey, Abstract No. 860, in Bell County, Texas, and being out of and a part of that certain 747.71 acre tract described in a deed to Don Kelly et ux, and of record in Vol. 1227, Page 797 of the Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at an iron pin in the north margin of the A. T. & S. F. Railroad property and being S 83 deg. 25' 16" E. 413.16 ft. and S 58 deg. 58' 10" E 73 ft. from the southeast corner of that certain 3.35 acre tract described in a deed from Don Kelly et ux, to Thomas Cox et ux, and of record in Vol. 1407, Page 797, of the Deed Records of Bell County, Texas, and being the southeast corner of this;

THENCE N 58 deg. 58' 10" W 73 ft. a post; N 83 deg. 25' 16" W 413.16 ft. the southeast corner of said 3.35 acre tract; and N 82 deg. 48' 07" W 265.69 ft. the southwest corner of said 3.35 acre tract an iron pin for an ell corner of this;

THENCE N 23 deg. 05' 27" E 298.46 ft. an iron pin; and N 2 deg. 43' 35" W 96.57 ft. an iron pin for the northeast corner of this;

THENCE S 86 deg. 21' 20" W 135.28 ft. an iron pin; N 2 deg. 33' 08" W 8 ft.; and S 86 deg. 28' 49" W 137.46 ft. an iron pin for the northwest corner of this;

THENCE S 1 deg. 04' 11" E 382.19 ft. to an iron pin in the north margin of said railroad property for the southwest corner of this;

THENCE S 83 deg. 42' 21" E 894.97 ft. along the north margin of said railroad property to the place of beginning containing 2.56 acres.

EXHIBIT B

FIELD NOTES
4rlv076806

CERTIFIED COPY
DOCUMENT ATTACHED IS A
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OF THE ORIGINAL ON FILE

FEB 15 2019



Phyllis Costen
CO. CLERK, BELL CO., TX

D1707-68

All that certain tract of land being a perpetual nonexclusive right of ingress and egress along, over and across the following described property, to-wit:

Being a tract of land 20 feet wide the centerline of which is as follows:

BEGINNING at an iron pin that is S 23 deg. 05' 27" W 23.54 ft. from the most southerly corner of Tract "B" in the deed from Don H. Kelly et ux, to Thomas A. Cox, et ux, dated September 8, 1976, and recorded in Vol. 1407, Page 797, Deed Records of Bell County, Texas, and being the south end of this;

THENCE along the centerline as follows:

N 47 deg. 10' 07" E 229 ft.; N 26 deg. 35' 37" E 156.60 ft.; N 14 deg. 31' 37" E 621.38 ft.; and N 17 deg. 31' 37" E 387.95 ft. to a point in the south margin of Sparta Road for the north end of this.

EXHIBIT C

FIELD NOTES
4rlv076807

11

FILED FOR RECORD THIS 15 DAY OF JANUARY 1987 10:30 A M
Ms VADA SUTTON COUNTY CLERK BELL COUNTY TEXAS
BY _____ Deputy

2262/393

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019

Dorothy Carter
CO. CLERK, BELL CO. TX

By: S. Matney

AFTER RECORDING RETURN TO:
CENTRALAND TITLE COMPANY
P.O. Box 2125
Temple, Texas 76503

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

Special Warranty Deed with Vendor's Lien

Date: Effective AUGUST 23, 2018

Grantor: VERNON W. BARGE, III, and wife, LAURA BARGE

Grantor's Mailing Address: 2005 Birdcreek Drive, Suite 211; Temple, Texas 76502 (Bell County)

Grantee: CHESTER E. DICKSON and wife, LINDA DIANE DICKSON

Grantee's Mailing Address: 24 West Rivercrest
HOUSTON, TEXAS 77042 (Harris County)

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by Grantee and a note of even date that is in the principal amount of \$800,000.00 and is executed by Grantee, payable to the order of VERNON W. BARGE, III, and wife, LAURA BARGE. The note is secured by a vendor's lien retained in favor of VERNON W. BARGE, III, and wife, LAURA BARGE in this deed and by a deed of trust of even date therewith from Grantee to JULI A. BRYAN, Trustee.

Property (including any improvements): Land being more particularly described by metes and bounds in field notes in Exhibit "A" attached hereto and incorporated herein;

together with, without covenant or warranty express or implied (whether under Section 5.023 of the Texas Property Code or otherwise) all right, title and interest, if any, of Grantor as owner of the Property, but not as owner of any other property, in and to, (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

002700 / 57720 / GF#C1881864

Centraland Title Company
Document # 21 of 3
File # C1881864
\$ 35

and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary); and (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title, and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

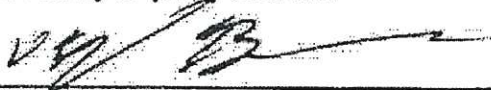
Reservations from Conveyance and Exceptions to Conveyance and Warranty: *Exceptions:* Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken, if any; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or protrusions or overlapping of improvements; taxes for the year 2018, which Grantee assumes and agrees to pay.

Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantor but not otherwise..

The vendor's lien against and superior title to the Property are retained until said note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

By acceptance of this deed, Grantor and Grantee acknowledge that Baird, Crews, Schiller & Whitaker, P.C. ("BCSW") (1) has not ordered or examined title to the Property, (2) has made no other independent investigation of the title to the Property but has prepared this deed based on information and documents furnished to BCSW, and (3) makes no representation or warranty, express or implied, regarding the Property or the validity or quality of its title.



VERNON W. BARGE, III



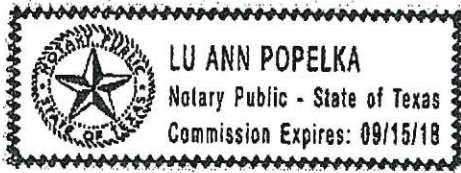
LAURA BARGE

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on AUGUST 24, 2018, by VERNON W. BARGE, III.

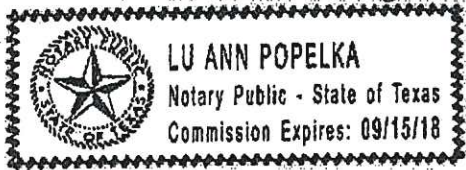


Lu Ann Popelka
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on AUGUST 24, 2018, by LAURA BARGE.



Lu Ann Popelka
NOTARY PUBLIC

PREPARED IN THE LAW OFFICE OF:
Baird, Crews, Schiller & Whitaker, P.C.
ATTN: JULI A. BRYAN / pls
15 North Main Street
Temple, Texas 76501
www.bcswlaw.com

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

002700 / 57720 / GF#C1881864

EXHIBIT "A"

FIELD NOTES for the location and description of a 215.25 acre tract of land out of, and a part of, the Lewis Walker Survey, Abstract Number 850, situated in Bell County, Texas. Said 214.25 acre tract of land, being surveyed at this time as one tract, has been previously described in a Deed dated July 18, 1977, from John Hood Garner and wife, Aileen Garner, to Clara Adzas, a widow, and of record in Volume 1465, Page 847, of the Deed Records of Bell County, Texas. Said 214.25 acres, hereon described, is made up of the following lands as described in the afore mentioned Deed:

The "FIRST TRACT" called 135.814 Acres,
The "SECOND TRACT" called 61.184 Acres, and
The "THIRD TRACT" called 17.345 Acres.

A surveyor's sketch, or plat, is hereby made a part of this survey and is attached. The bearing base for this survey is the west line of the "First Tract" at N. 18 deg 52 min 21 sec E. The metes and bounds description of said 214.25 acre tract of land is as follows:

POINT OF BEGINNING is a 1" iron pipe found in the south margin of the CG & SF Railroad right of way and at the northwest corner of that certain called Tract No. 1, of 99 acres conveyed to John Hood Garner by a deed recorded in Volume 1047, Page 53 of the Bell County Deed Records. Said found iron pipe being the northeast corner of a called 100.038 acre tract conveyed to Travenol Laboratories, Inc. (1869/429), and being the northwest corner of this.

THENCE S. 84 deg 33 min 55 sec E., 1243.52 feet along, and with said south railroad margin, as fenced, to a 1" iron pipe found for the northwest corner of the Elsie York & Margaret Hannon ownership (2422/704), and being the most northerly northeast corner of this.

THENCE S. 18 deg 28 min 28 sec W., 1736.75 feet along the west line of the York - Hannon tract, being also the most northerly east line of this, as fenced, to an old fence corner post described in previous field notes, a 5/8" iron pin set for an internal corner of this.

THENCE S. 71 deg 39 min 17 sec E., 1325.21 feet along the south line of the York - Hannon tract, being also the most easterly north line of this, as fenced, to a 1 1/2" pipe found, beside the west gate post, for the most easterly northeast corner of this.

THENCE S. 18 deg 36 min 10 sec W., along the most southerly west line of the York - Hannon tract and the west line of the Bessie Perking tract (1738/850), as fenced, a railroad tie fence corner post found at 2024.66 feet, and continue along an unfenced boundary, in all 2172.25 feet to a point in the center of Nolan Creek for the most easterly southeast corner of this.

THENCE in a northwesterly direction, upstream along the center line of Nolan Creek for the following two (2) directions and distances:

N. 60 deg 13 min 41 sec W., 665.19 feet, a point,
N. 51 deg 12 min 58 sec W., 721.34 feet, a point in the center of Nolan Creek for an internal corner of this. Said point bears S. 19 deg 12 min 38 sec W., 127.40 feet from a railroad tie fence corner post, found and flagged for reference.

THENCE S. 19 deg 12 min 38 sec W., 2384.07 feet along the west line of the Garner tract (1410/89) being also the most southerly east line of this, as fenced, to a 1" iron rod found in the north margin of F. M. Highway Number 93, for the southwest corner of Garner and being the most southerly southeast corner of this.

THENCE following said north road right of way margin, being also the south line of this, as fenced, for the following five (5) distances:

- 1) N. 57 deg 09 min 46 sec W., 82.42 feet, a concrete highway monument found,
- 2) N. 50 deg 55 min 18 sec W., 260.51 feet, a 1" iron rod found in a small creek,
- 3) N. 43 deg 16 min 20 sec W., 116.32 feet, a 5/8" iron pin set in the remaining rubble of a destroyed concrete highway monument,
- 4) N. 36 deg 43 min 32 sec W., 293.15 feet, a concrete highway monument found, and
- 5) N. 31 deg 13 min 48 sec W., 712.10 feet to a 5/8" iron pin set beside an old fence corner post, for the southwest corner of this.

EXHIBIT "A"

THENCE N. 18 deg 52 min 21 sec E., crossing Nolan Creek at approximately 1527.00 feet, in all 4831.47 feet, along the east line of the Travenol Laboratories tract, also being the west line of this, to the point of beginning and containing 214.25 acres of land.

SAVE AND EXCEPT THE FOLLOWING TRACTS OF LAND:

SAVE AND EXCEPT:

BEING a 11.881 acre tract of land situated in the LEWIS WALKER SURVEY, Abstract No. 868, Bell County, Texas and being a part or portion of that certain 214.25 acre tract of land described in a Warranty Deed dated October 21, 2004 from Michael K. Gunter and wife, Nancy L. Gunter to Vernon W. Barge, III and wife Laura Barge and being of record in Volume 5516, Page 703, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at ½" iron rod with cap stamped "RPLS 2475" found being an interior point in the said 214.25 acre tract and being the northwest corner of that certain 10.108 acre tract of land described in a Warranty Deed dated December 29, 2011 to Bradley D. Sheppard and wife, Holly J. Sheppard and being of record in Document No. 201100045420, Official Public Records of Bell County, Texas for corner;

THENCE departing the said 10.108 acre tract and over and across the said 214.25 acre tract the following seven (7) calls:

- 1) N. 18° 52' 21" E., at 1072.03 feet pass a ½" iron rod with cap stamped "RPLS 2475" set at the top of bank of Nolan Creek as evidenced on the ground and at 1103.75 feet in all to a point being in the centerline of the said Nolan Creek for corner;
- 2) N. 72° 04' 25" E., 2787 feet with the said centerline of Nolan Creek to a point for corner;
- 3) N. 69° 04' 18" E., 313.67 feet continuing with the said centerline of Nolan Creek to a point for corner;
- 4) S. 79° 04' 00" E., 48.62 feet continuing with the said centerline of Nolan Creek to a point for corner;
- 5) S. 19° 23' 38" W., departing the said centerline of Nolan Creek at 47.82 feet pass a ½" iron rod with cap stamped "RPLS 2475" set at the top of bank of Nolan Creek as evidenced on the ground and at 465.92 feet in all to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 6) S. 53° 03' 09" E., 175.86 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 7) S. 19° 12' 38" W., 807.90 feet to a ½" iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the aforementioned 10.108 acre tract for corner;

THENCE N. 71° 04' 35" W., 471.13 feet with the said north boundary line to the Point of BEGINNING and containing 11.881 acres of land.

SAVE AND EXCEPT:

BEING a 12.508 acre tract of land situated in the LEWIS WALKER SURVEY, Abstract No. 860, Bell County, Texas and being a part or portion of that certain 214.25 acre tract of land described in a Warranty Deed dated October 21, 2004 from Michael H. Gunter and wife, Nancy L. Gunter to Vernon W. Barge, III and wife Laura Barge and being of record in Volume 5516, Page 703, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with cap stamped "RPLS 2475" found being an interior point in the said 214.25 acre tract and being the northeast corner of that certain 10.108 acre tract of land described in a Warranty Deed dated December 29, 2011 to Bradley D. Sheppard and wife, Holly J. Sheppard and being of record in Document No. 201100045420, Official Public Records of Bell County, Texas for corner;

THENCE N 71° 04' 35" W., 311.27 feet with the north boundary line of the said 10.108 acre tract to a ½" iron rod with cap stamped "RPLS 2475" set for corner;

- 1) N. 19°12' 38" E., 807.90 feet in all to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 2) N. 53° 03' 09" W., 175.86 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 3) N. 19° 12' 38" E., at 418.10 feet pass a ½" iron rod with cap stamped "RPLS 2475" set at the top of bank of Nolan Creek as evidenced on the ground and at 465.92 feet in all to a point being in the centerline of the said Nolan Creek for corner;
- 4) S. 79° 04' 00" E., 240.82 feet with the said centerline of Nolan Creek to a point for corner;
- 5) S. 72° 14' 31" E., 91.67 feet continuing with the said centerline of Nolan Creek to a point for corner;
- 6) S. 69° 16' 08" E., 175.93 continuing with the said centerline of Nolan Creek to a point for corner;
- 7) S. 19° 12' 38" W., 1358.03 feet departing the said centerline of Nolan Creek to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 8) N. 71° 04' 35" W., 27.04 feet to the Point of BEGINNING and containing 12.508 acres of land.

Exhibit "A"

EXHIBIT "A"

SAVE AND EXCEPT:

BEING a 10.108 acre tract of land situated in the LEWIS WALKER SURVEY, Abstract No. 860, Bell County, Texas and being a part or portion of that certain 214.25 acre tract of land described in a Warranty Deed dated October 21, 2004 from Michael K. Gunter and wife, Nancy L. Gunter to Vernon W. Barge, III and wife Laura Barge and being of record in Volume 5516, Page 703, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING from point found in the north right of way line of F. M. Highway 93 being the southwest corner of said 214.25 acre tract (calls 5/8" iron rod set at fence post); THENCE S 31° 13' 48" E., 65.17 feet with the south boundary line of said 214.25 acre tract and the said north right-of-way line to a point for the POINT OF BEGINNING;

THENCE departing said right-of-way line over and across said 214.25 acre tract the following five (5) calls:

- 1) N. 18° 52' 21" E., 360.02 feet to a point for corner;
- 2) S. 71° 04' 35" E., 782.40 feet to a point for corner;
- 3) S. 19° 12' 38" W., 454.38 feet to a point for corner;
- 4) S. 83° 54' 46" W., 187.62 feet to a point for corner;
- 5) S. 44° 04' 42" W., 266.06 feet to a point being in said north right-of-way line and being in the said south boundary line of said 214.25 acre tract (calls concrete highway monument) for corner;

THENCE N. 31° 13' 48" W., 646.93 feet with the said north right-of-way line and the said south boundary line to the POINT OF BEGINNING and containing 10.108 acres of land.

SAVE AND EXCEPT:

BEING a 10.108 acre tract of land situated in the LEWIS WALKER SURVEY, Abstract No. 860, Bell County, Texas and being a part or portion of that certain 214.25 acre tract of land described in a Warranty Deed dated October 21, 2004 from Michael K. Gunter and wife, Nancy L. Gunter to Vernon W. Barge, III and wife Laura Barge and being of record in Volume 5516, Page 703, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING from point found in the north right of way line of F. M. Highway 93 being the southeast corner of said 214.25 acre tract (calls 1" iron rod) and being the southwest corner of that certain 36.324 acre tract of land referenced in a Affidavit of Facts Concerning the identity of Heirs dated September 24, 2011 and being of record in Document No. 201100033559, Official Public Records, Bell County, Texas; THENCE N 57° 08' 46" W., 51.45 feet departing the said 36.324 acre tract and with the south boundary line of said 214.25 acre tract and the said north right-of-way line for the POINT OF BEGINNING;

THENCE continuing with the said south boundary line and the said right-of-way line the following four (4) calls:

- 1) N. 57° 08' 46" W., 30.97 feet to a point for corner;
- 2) N. 50° 56' 19" W., 260.51 feet to a point for corner;
- 3) N. 43° 16' 20" W., 118.32 feet to a point for corner;
- 4) N. 36° 43' 32" W., 293.15 feet to a point being the southeast corner of that certain 10.108 acre tract of land described in a Warranty Deed dated December 29, 2011 to Bradley D. Sheppard and wife, Holly J. Sheppard and being of record in Document No. 201100045420, Official Public Records of Bell County, Texas for corner;

THENCE departing the said south boundary line and the said north right-of-way line and with the east boundary line of the said 10.108 acre tract and over and across the said 214.25 acre tract the following three (3) calls:

- 1) N. 44° 04' 42" E., 266.06 feet to a point for corner;
- 2) N. 83° 54' 46" E., 187.62 feet to a point for corner;
- 3) N. 19° 12' 38" E., 454.38 feet to a point being the northeast corner of the said 10.108 acre tract for corner;

THENCE departing the said 10.108 acre tract and continuing over and across the said 214.25 acre tract the following two (2) calls:

- 1) S. 71° 04' 35" E., 341.40 feet to a point for corner;
- 2) S. 19° 12' 38" W., 1092.29 feet to the Point of BEGINNING and containing 10.108 acres of land.

Exhibit "A"

Page 3 of 4

EXHIBIT "A"

SAVE AND EXCEPT:

BEING a 12.417 acre tract of land situated in the LEWIS WALKER SURVEY, Abstract No. 860, Bell County, Texas and being a part or portion of that certain 214.25 acre tract of land described in a Warranty Deed dated October 21, 2004 from Michael K. Gunter and wife, Nancy L. Gunter to Vernon W. Barge, III and wife Laura Barge and being of record in Volume 5516, Page 703, Official Public Records, Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with cap stamped "RPLS 2475" set in the north right of way line of F. M. Highway 93 being the southeast corner of said 214.25 acre tract (calls 1" iron rod) and being the southwest corner of that certain 36.324 acre tract of land referenced in a Affidavit of Facts Concerning the Identity of Heirs dated September 24, 2011 and being of record in Document No. 201100033559, Official Public Records, Bell County, Texas for corner;

THENCE N 57° 08' 46" W., 51.45 feet departing the said 36.324 acre tract and with the south boundary line of said 214.25 acre tract and the said north right-of-way line to a ½" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE departing the said south boundary line and the said right-of-way line and over and across the said 214.25 acre tract the following five (5) calls:

- 1) N. 19° 12' 38" E., 1092.29 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 2) N. 71° 04' 35" W., 314.36 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 3) N. 19° 12' 38" E., 1358.03 feet to a point being in the centerline of Nolan Creek for corner;
- 4) S. 69° 16' 08" E., 163.42 feet with the centerline of said Nolan Creek to a point for corner;
- 5) S. 50° 57' 45" E., 213.66 feet continuing with the said centerline of Nolan Creek to a point being an ell corner in the east boundary line of the said 214.25 acre tract and being the northwest corner of the aforementioned 36.324 acre tract for corner;

THENCE S. 19° 12' 38" W., 2384.07 feet with the said east boundary line and with the west boundary line of the said 36.324 acre tract to the Point of BEGINNING and containing 12.417 acres of land.

Exhibit "A"

Page 4 of 4

**** Electronically Filed Document ****

**Bell County, Tx
Shelley Coston
County Clerk**

Document Number: 2018-36166

Recorded As : ERX-RECORDINGS

Recorded On: August 27, 2018

Recorded At: 01:35:49 pm

Number of Pages: 8

Book-VI/Pg: Bk-OR VI-10574 Pg-864

Recording Fee: \$35.00

Parties:

Direct- BARGE VERNON W III

Indirect- DICKSON CHESTER E

Receipt Number: 345726

Processed By: Mayte Ramirez

(Parties listed above are for Clerks reference only)

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

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

**Shelley Coston
Bell County Clerk**

A handwritten signature in cursive script that reads "Shelley Coston".

AFTER RECORDING RETURN TO:
CENTRALAND TITLE COMPANY
Post Office Box 2125
Temple, Texas 76503-2125

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

SPECIAL WARRANTY DEED

Effective Date: AUGUST 24, 2018

Grantor (whether one or more): JAKE HERNDON, Trust Officer of EXTRACO BANKS, N.A., Custodian of MARK MAHLER ROTH IRA

Grantor's Mailing Address (including county): 353 Claremont Drive; Belton, Texas 76513 (Bell County)

Grantee (whether one or more): CHESTER E. DICKSON and LINDA DIANE DICKSON

Grantee's Mailing Address (including county): 24 West Rivercrest
Houston, Texas 77042
(Harris County)

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration paid to Grantor by Grantee and for which no lien, either express or implied, is retained.

Property (including any improvements): Being a tract of land being more particularly described by metes and bounds in field notes in Exhibit "A" attached hereto and incorporated herein;

together with, without covenant or warranty express or implied (whether under Section 5.023 of the Texas Property Code or otherwise) all right, title and interest, if any, of Grantor as owner of the Property, but not as owner of any other property, in and to, (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property

SPECIAL WARRANTY DEED

005600 / 56428 / GF#C1881829

Centraland Title Company
Document 2 of 2
File # C1881829
\$ 25

and any of Grantor's rights to use same; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary); and (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title, and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

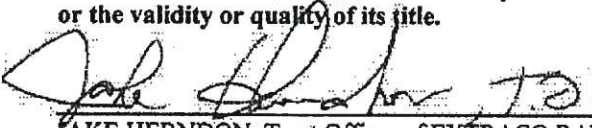
Reservations from and Exceptions to Conveyance and Warranty: *Exceptions:* Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken, if any; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; all zoning laws, regulations and ordinances of applicable governmental authorities; any discrepancies, conflicts or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations and other matters emanating from and existing by reason of the creation, establishment, maintenance and operation of any County Water Improvement District, Municipal Utility District or similar governmental or quasi-governmental agency; taxes for the year 2018, the payment of which Grantee assumes; existing building and zoning ordinances and environmental regulations; and rights of parties in possession.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantor but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

This deed is executed by a party as of the date of his/her/its respective Acknowledgment but to be effective as of the Effective Date.

By acceptance of this deed, Grantor and Grantee acknowledge that Baird, Crews, Schiller & Whitaker, P.C. ("BCSW") (1) has not ordered or examined title to the Property, (2) has made no other independent investigation of the title to the Property but has prepared this deed based on information and documents furnished to BCSW, and (3) makes no representation or warranty, express or implied, regarding the Property or the validity or quality of its title.

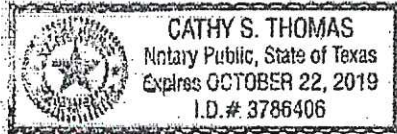

JAKE HERNDON, Trust Officer of EXTRACO BANKS, N.A.,
Custodian of MARK MAHLER ROTH IRA

SPECIAL WARRANTY DEED

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on AUGUST 23, 2018, by JAKE HERNDON, in his capacity as Trust Officer of EXTRACO BANKS, N.A., in its capacity as Custodian of MARK MAHLER ROTH IRA.



Cathy Thomas
NOTARY PUBLIC

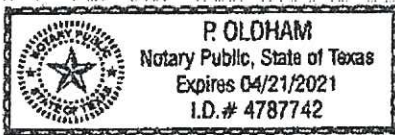
READ AND APPROVED:

Mark Mahler
MARK MAHLER

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on AUGUST 23, 2018, by MARK MAHLER.



P. Oldham
NOTARY PUBLIC

PREPARED IN THE LAW OFFICE OF:
BAIRD, CREWS, SCHILLER & WHITAKER, P.C.
ATTN: JULI A. BRYAN / pls
15 North Main Street
Temple, Texas 76501
www.bcswlav.com

SPECIAL WARRANTY DEED

005600 / 56428 / GF#C1881829

EXHIBIT "A"

FIELD NOTES for a 71.00 acre tract of land in Bell County, Texas, being part of the Lewis Walker Survey, Abstract No. 860, and the land herein described being part of that certain land described as six (6) tracts in a deed to H. O. York and wife, Maggie York, of record in Volume 597, Page 335, Deed Records of Bell County, Texas (D.R.B.C.T.), and being more particularly described as follows:

BEGINNING at a 1" iron pipe found on the south right-of-way line of the G.C. & S.F. Railroad (100' R.O.W.) at the most northerly northeast corner of a called 214.25 acre tract conveyed to Vernon W. Barge, III, and wife, Laura Barge, of record in Volume 5516, Page 703, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), for the northwest corner of this tract;

THENCE S. 86° 29' 01" E., 1970.32 feet, with the south right-of-way line of said G.C. & S.F. Railroad, to a 1/2" iron rod with cap stamped "M&A" set at the northwest corner of a called 753.06 acre tract conveyed to Chester E. Dickson and wife, Linda Dianne Dickson, of record in Volume 2867, Page 579, O.P.R.R.P.B.C.T., for the northeast corner of this tract;

THENCE S. 16° 07' 51" W., 1820.59 feet, with the west line of said 753.06 acre tract, to a 1/2" iron rod with cap stamped "M&A" set for the southeast corner of this tract;

THENCE N. 73° 52' 09" W, 1931.24 feet, over and across said York tracts, to a 1/2" iron rod with cap stamped "M&A" set on the east line of said 214.25 acre tract, for the southwest corner of this tract;

THENCE N. 16° 28' 48" E., 1390.33 feet, with the northerly east line of said 214.25 acre tract, to the **POINT OF BEGINNING** containing 71.00 acres of land.

Exhibit "A"
Page 1 of 1

**** Electronically Filed Document ****

**Bell County, Tx
Shelley Coston
County Clerk**

Document Number: 2018-36190

Recorded As : ERX-RECORDINGS

Recorded On: August 27, 2018
Recorded At: 02:31:40 pm
Number of Pages: 5
Book-VI/Pg: Bk-OR VI-10575 Pg-98
Recording Fee: \$23.00

Parties:

Direct- HERNDON JAKE TRUSTEE
Indirect- DICKSON CHESTER E

Receipt Number: 345743
Processed By: Mayte Ramirez

(Parties listed above are for Clerks reference only)

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

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

**Shelley Coston
Bell County Clerk**

A handwritten signature in cursive script that reads "Shelley Coston".

After Recording, Return To:
Centraland Title Company
P.O. Box 2125
Temple, Texas 76503

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

GENERAL WARRANTY DEED

Effective Date: October 24, 2018

Grantors: Tri-Cru Ventures, L.L.C.,
a Texas limited liability company

Grantors' Mailing Addresses: Tri Cru Ventures, L.L.C.
7446 Honeysuckle Drive
Temple, Texas 76502 (Bell County)

Grantee: Chester E. Dickson and Linda Diane Dickson

Grantee's Mailing Addresses: Chester E. Dickson and Linda Diane Dickson
24 West Rivercrest
Houston, Texas 77042
(Harris County)

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by Grantee, and for which no lien, either express or implied, is retained.

Property: Being a 99.714 acre tract of land situated in the Christopher Cruise Survey, Abstract No. 166, Bell County, Texas and in the Lewis Walker Survey, Abstract No. 860, Bell County, Texas and being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken, if any; all easements, rights-of-way, restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property, but only to the extent that any of the foregoing are validly existing and shown of record in the hereinabove mentioned county and state; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or protrusions or overlapping of improvements; all zoning laws, regulations and ordinances of applicable governmental authorities, but only to the extent that they are still in effect and relate to the Property; taxes for the current year, which Grantee assumes and agrees to pay.

005600/56428 GF#C1882005

Centraland Title Company
Document 4 of 4
File # 0182105
\$ 31

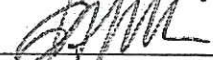
Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural. Grantor includes Grantor's heirs, successors, and assignees, and Grantee includes Grantee's heirs, successors, and assignees.

By acceptance of this deed, Grantor and Grantee acknowledge that Baird, Crews, Schiller & Whitaker, P.C. ("BCSW") (1) has not ordered or examined title to the Property, (2) has made no other independent investigation of the title to the Property but has prepared this deed based on information and documents furnished to BCSW, and (3) makes no representation or warranty, express or implied, regarding the Property or the validity or quality of its title.

This deed is executed by a party as of the date of his/her/its respective Acknowledgment, but to be effective as of the Effective Date.

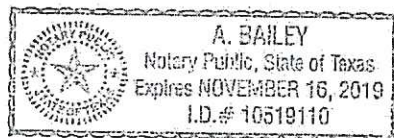
Tri-Cru Ventures, LLC,
A Texas limited liability company

By: 
Emilio Perales, Manager

(Acknowledgment)

STATE OF Texas
COUNTY OF Bell

This instrument was acknowledged before me on October 24, 2018, by Emilio Perales in his capacity as Manager of Tri-Cru Ventures, LLC, a Texas limited liability company, on behalf of said limited liability company.




Notary Public, State of Texas

Prepared in the law offices of:
Baird, Crews, Schiller & Whitaker, P.C.
Attn: JULI A. BRYAN / sag
15 North Main Street
Temple, Texas 76501
www.bcswwlaw.com

005600/56428 GF#C1882005

EXHIBIT "A"

BEING a 99.714 acre tract of land situated in the CHRISTOPHER CRUISE SURVEY, ABSTRACT No. 166, Bell County, Texas and in the LEWIS WALKER SURVEY, ABSTRACT No. 860, Bell County, Texas and being a part or portion of that certain 74.899 acre tract of land described in a Warranty Deed dated October 10, 2017 from Juanita C. Smith et al to Tri-Cru Ventures, LLC and being of record in Document No. 2017-00043275, Official Public Records of Bell County, Texas and being all of that certain 12.928 acre tract of land described in a Deed from William Murphy Talley and wife, Elizabeth J. Talley to Tri-Cru Ventures, LLC and being of record in Document No. 2017-00043258, Official Public Records of Bell County, Texas and being all of that certain 13.97 acre tract of land described in a Warranty Deed with Vendor's Lien dated June 23, 2017 from Cody Wayne Sulak and wife, Jaqueline Jorgette Sulak to Tri-Cru Ventures, LLC and being of record in Document No. 2017-00026600, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found being the southwest corner of the said 74.899 acre tract and being the northwest corner of the said 13.97 acre tract and being the northeast corner of that certain 18.594 acre tract of land described in a Warranty Deed dated November 29, 1994 to George Dishon and wife, Stacie Dishon and being of record in Volume 3244, Page 322, Official Public Records of Bell County, Texas and being the southeast corner of those certain lands described in a Special Warranty Deed with Vendor's Lien dated June 12, 2003 from David R. Beevers, Ron's One Stop, David Beevers, Trustee of the David Beevers Heritage Trust, and Michael Beevers, Trustee of the Michael Beevers Heritage Trust to Michael L. Beevers and wife, Tammy Beevers and being of record in Volume 5040, Page 425, Official Public Records of Bell County, Texas for corner;

THENCE N. 17° 32' 22" E., 935.38 feet departing the said 13.97 acre tract and the said 18.594 acre tract and with the west boundary line of the said 74.899 acre tract and with the east boundary line of the said Beevers lands to a 1/2" iron rod with cap stamped "RPLS 2475" set being the southwest corner of that certain 2.683 acre tract of land described in a Gift Warranty Deed dated January 1, 1998 from Juanita Causey Smith to Terry Leahy Smith Williamson and being of record in Volume 3730, Page 115, Official Public Records of Bell County, Texas for corner;

THENCE departing the said Beevers lands and continuing with the west boundary line of the said 74.899 acre tract and with the south, east and north boundary lines of the said 2.683 acre tract the following three (3) calls:

- 1) S. 73° 02' 16" E., 366.15 feet (calls N. 70° 13' W., 365.27 feet) to a 1/2" iron rod found being the southeast corner of the said 2.683 acre tract for corner;
- 2) N. 16° 57' 44" E., 320.00 feet (calls S. 19° 47' W., 320 feet) to a 1/2" iron rod found being the northeast corner of the said 2.683 acre tract for corner;
- 3) N. 73° 02' 16" W., 365.27 feet (calls S. 70° 13' W., 365.27 feet) to a 1/2" iron rod with cap stamped "RPLS 2475" set being the northwest corner of the said 2.683 acre tract and being an exterior ell corner of the said 74.899 acre tract and being in the east boundary line of that certain 10.997 acre tract of land described in a Warranty Deed with Vendor's Lien dated April 9, 1987 from Interfirst Bank Temple, N. A., as Trustee and Guardian of the Estate of Ben Gray Kendall to Dennis Lofton and wife, Rachel S. Lofton and being of record in Volume 2291, Page 521, Official Public Records of Bell County, Texas for corner;

THENCE N. 16° 57' 44" E., 667.54 feet departing the said 2.683 acre tract and continuing with the west boundary line of the said 74.899 acre tract and with the evidenced east boundary line of the said 10.997 acre tract to a 3/8" iron rod found being the most westerly northwest corner of the said 74.899 acre tract and being the southwest corner of that certain 2.75 acre tract of land described in a Warranty Deed with Vendor's Lien dated April 21, 2003 from Robert D. Babcock and wife, Thach T. Babcock to Shawn D. Jones and wife, April L. Jones and being of record in Volume 4980, Page 887, Official Public Records of Bell County, Texas for corner;

THENCE S. 73° 11' 06" E., 304.83 feet departing the said 10.997 acre tract and with the south boundary line of the said 2.75 acre tract (calls N. 71° 00' 00" W., 304.73 feet) and with a northerly boundary line of the said 74.899 acre tract to a 3/8" iron rod found being the southeast corner of the said 2.75 acre tract and being the southwest corner of that certain 0.402 acre tract of land

(Exhibit B) described in a Easement Agreement for Access from Juanita C. Smith; Stacey Leahy Williamson; Robyn Leahy Brooks; Clint Smith; Dorci Cotton and Terry Lynn Malina to Shawn Jones and April Jones and being of record in Document No. 2017-00006529, Official Public Records of Bell County, Texas for corner;

THENCE S. 72° 29' 46" E., 49.73 feet departing the said 2.75 acre tract and with the south boundary line of the said 0.402 acre tract (calls N. 71° 00' 00" W., 50.04 feet) and continuing with the northerly boundary line of the said 74.899 acre tract to a 3/8" iron rod found being the southeast corner of the said 0.402 acre tract for corner;

THENCE N. 19° 13' 08" E., 300.42 feet with the east boundary line of the said 0.402 acre tract (calls S. 21° 19' 40" W., 350.46 feet) and with a westerly boundary line of the said 74.899 acre tract to a 3/8" iron rod found being the southwest corner of that certain 0.436 acre tract of land (Exhibit C) described in said Document No. 2017-00006529, Official Public Records of Bell County, Texas for corner;

THENCE S, 73° 13' 05" E., 380.18 feet departing the said 0.402 acre tract and with the south boundary line of the said 0.436 acre tract (calls N. 71° 09' 41" W., 379.27 feet) and continuing with the northerly boundary line of the said 74.899 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being the evidenced southeast corner of the said 0.436 acre tract for corner;

THENCE N. 19° 46' 55" E., 50.12 feet with the east boundary line of the said 0.436 acre tract (calls S. 22° 48' 20" W., 50.12 feet) with a westerly boundary line of the said 74.899 acre tract to a 3/8" iron rod found being the northeast corner of the said 0.436 acre tract and being the southeast corner of that certain 2.711 acre tract of land described in a Warranty Deed with Vendor's Lien retained in Favor of a Third Party dated September 26, 2001 from Carriage House Homes, Inc., a corporation to Edward J. Young and wife, Virginia Young and being of record in Volume 4495, Page 779, Official Public Records of Bell County, Texas for corner;

THENCE departing the said 0.436 acre tract and with the east boundary line of the said 2.711 acre tract and with the west boundary line of the said Parcel No. 468076 and continuing with west boundary line of the said 74.899 acre tract the following two (2) calls:

- 1) N. 24° 28' 53" E., 4.24 feet (calls S. 29° 10' 06" W., 3.40 feet) to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;
- 2) N. 16° 49' 04" E., 248.48 feet (calls S. 19° 37' 21" W., 248.48 feet) to a 1/2" iron rod found being the northeast corner of the said 2.711 acre tract and being in the south right-of-way line of Farm-to-Market Highway No. 439 (a publicly maintained roadway) as occupied and evidenced on the ground and being a northwesterly corner of the said 74.899 acre tract for corner;

THENCE S. 70° 42' 12" E., 60.94 feet departing the said 2.711 acre tract and with the north boundary line of the said 74.899 acre tract and with the said south right-of-way line to a 1/2" iron rod found being a northeasterly corner of the said 74.899 acre tract and being the northwest corner of that certain 1.33 acre tract of land described in a General Warranty Deed with Vendor's Lien dated August 1, 2016 from Tucker J. Reuber and Christie E. Reuber to Charney Thomas and being of record in Document No. 2016-00030687, Official Public Records of Bell County, Texas for corner;

THENCE S. 17° 01' 40" W., 366.88 feet departing the said south right-of-way line and with the west boundary line of the said 1.33 acre tract (calls N. 19° 15' 33" E., 366.96 feet) and with an east boundary line of the said 74.899 acre to a 1/2" iron rod found being the southwest corner of the said 1.33 acre tract for corner;

THENCE S. 70° 45' 48" E., 158.38 feet with the south boundary line of the said 1.33 acre tract (calls N. 68° 27' 26" W., 158.45 feet) and with the north boundary line of the said 74.899 acre tract to a 1/2" iron rod found being the southeast corner of the said 1.33 acre for corner;

THENCE S. 71° 49' 44" E., 257.04 feet departing the said 1.33 acre tract and the said north boundary line and over and across the said 74.899 acre tract to a 1/2" iron pipe found being an interior ell corner of the said 74.899 acre tract and being the southwest corner of that certain 1.550 acre tract of land described in a Warranty Deed with Vendor's Lien dated April 27, 1987 from Frank Leahy Smith and wife, Vicki L. Smith to William Stringer and wife, Lorraine E. Stringer and being of record in Volume 2293, Page 323, Official Public Records of Bell County, Texas for corner;

THENCE S. 71° 48' 17" E., 328.98 feet with the south boundary line of the said 1.550 acre tract (calls N. 69° 16' 57" W., 187.22 feet) and continuing with the south boundary line of that certain tract of land referenced in a Special Warranty Deed dated April 26, 2016 from Jennyfer Marie Rodriguez-Murray to Jorge Rafael Rodriguez-Suris and being of record in Document No. 2016-00019761, Official Public Records of Bell County, Texas (makes no call) and with the north boundary line of the said 74.899 acre tract to a fence corner post found being the occupied southeast corner of the said Rodriguez-Suris tract and being the occupied and evidenced northeast corner of the said 74.899 acre tract and being in the

west boundary line of an access easement described in a Warranty Deed with Vendor's Lien dated July 13, 1995 from Bobby L. Buckner and wife, Brenda Gail Buckner to Gerardo Araiza and wife, Galdina Araiza and being of record in Volume 3334, Page 590, Official Public Records of Bell County, Texas for corner;

THENCE S. 16° 20' 20" W., 2052.97 feet departing the said Rodriguez-Suris tract and with the west boundary line of the said access easement and continuing with the west boundary line of that certain 62.77 acre tract of land described in a Assumption Warranty Deed dated December 18, 2013 from Carothers Properties, Ltd., a Texas limited partnership to JT Carothers Holdings, LLC, a Texas limited liability company and being of record in Document No. 2013-00053964, Official Public Records of Bell County, Texas (calls N. 16° 29' 58" E., 1673.40 feet) and with the east boundary line of the said 74.899 acre tract to a fence corner post found being the occupied and evidenced southwest corner of the said 62.77 acre tract and being the occupied and evidenced southeast corner of the said 74.899 acre tract and being in the occupied and evidenced north boundary line of that certain 20.21 acre tract of land described in a General Warranty Deed dated November 29, 2004 from Vernon M. Hicks and Juanita B. Hicks, Individually and as Trustees of The Vernon M. Hicks and Juanita B. Hicks Revocable Living Trust Agreement to Douglas G. Franks and Melisa K. Franks and being of record in Volume 5546, Page 861, Official Public Records of Bell County, Texas for corner;

THENCE N. 78° 39' 10" W., 439.10 feet departing the said 62.77 acre tract and with the south boundary line of the said 74.899 acre tract as occupied and evidenced on the ground and with the north boundary line of the said 20.21 acre tract to a 1/2" iron rod found being the occupied northwest corner of the said 20.21 acre tract and being the northeast corner of the said 12.928 acre tract and being an angle point in the south boundary line of the said 74.899 acre tract for corner;

THENCE departing the said 74.899 acre tract and with the east boundary line of the said 12.928 acre tract and with the west boundary line of the said 20.21 acre tract as fenced and evidenced on the ground the following two (2) calls:

- 1) S. 16° 13' 45" W., 419.73 feet to a fence post found for corner;
- 2) S. 16° 06' 24" W., 10.18 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found being the northeast corner of that certain remainder 35.07 acre tract of land described in a Warranty Deed with Vendor's Lien dated April 7, 1985 from Frank L. Smith and wife, Vicki L. Smith to William Murphy Talley and wife, Elizabeth J. Talley and being of record in Volume 2053, Page 505, Deed Records of Bell County Texas for corner;

THENCE departing the said 20.21 acre tract and with the south and east boundary lines of the said 12.928 acre tract and with the north and west boundary lines of the said remainder 35.07 acre tract the following three (3) calls:

- 1) N. 73° 46' 15" W., 454.73 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 2) S. 14° 13' 07" W., 371.42 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found for corner;
- 3) S. 01° 35' 47" E., 531.94 feet to a 1/2" iron rod with cap stamped "RPLS 2475" found being the southeast corner of the said 12.928 acre tract and being the southwest corner of the said remainder 35.07 acre tract and being in the north right-of-way line of Sparta Road (a publicly maintained roadway) as occupied and evidenced on the ground for corner;

THENCE departing the said remainder 35.07 acre tract and with the south boundary line of the said 12.928 acre tract and the said north right-of-way line the following three (3) calls:

- 1) N. 68° 53' 37" W., 4.28 feet to a fence post found for corner;
- 2) N. 73° 52' 45" W., 236.31 feet to a fence post found for corner;
- 3) N. 80° 27' 08" W., 141.09 feet to a 5/8" iron rod with cap, stamped "ACS" found being the southeast corner of the said 13.97 acre tract for corner;

THENCE departing the said 12.928 acre tract and with the south boundary line of the said 13.97 acre tract and continuing with the said north right-of-way line the following four (4) calls:

- 1) N. 80° 28' 34" W., 117.57 feet to a 5/8" iron rod with cap stamped "ACS" found for corner;
- 2) N. 79° 18' 30" W., 96.32 feet to a 5/8" iron rod with cap stamped "ACS" found for corner;

3) N. 76° 04' 49" W., 148.81 feet to a 5/8" iron rod with cap stamped "ACS" found for corner;

4) N. 71° 49' 49" W., 156.89 feet to a 5/8" iron rod with cap stamped "ACS" found being the southwest corner of the said 13.97 acre tract and being the southeast corner of the aforementioned 18.594 acre tract for corner;

THENCE N. 17° 26' 41" E., 1319.36 feet departing the said north right-of-way line and with the west boundary line of the said 13.97 acre tract and with the east boundary line of the said 18.594 acre tract to the Point of BEGINNING and containing 99.714 acres of land.

**** Electronically Filed Document ****

**Bell County, Tx
Shelley Coston
County Clerk**

Document Number: 2018-44877

Recorded As : ERX-RECORDINGS

Recorded On: October 25, 2018
Recorded At: 02:58:56 pm
Number of Pages: 7
Book-VI/Pg: Bk-OR VI-10637 Pg-516
Recording Fee: \$31.00

Parties:

Direct- TRI CRU VENTURES LLC
Indirect- DICKSON CHESTER E

Receipt Number: 351266
Processed By: Monica Daye

(Parties listed above are for Clerks reference only)

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

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

A handwritten signature in cursive script that reads "Shelley Coston".

#21

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

WARRANTY DEED

Date: May 28, 2014

Grantor: GENOVEFA BELL, a single person

Grantor's Mailing Address (including county):

14216 W. Sable Ct.
Sun City West AZ 85375 Maricopa County

Grantee: CHESTER E. DICKSON and wife, DIANE M. DICKSON

Grantee's Mailing Address (including county):

24 W. Rivercrest Dr.
Houston TX. 77042

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, NO LIEN HAVING BEEN RETAINED, EITHER EXPRESS OR IMPLIED.

Property (Including any improvements):

Lot Seven (7), in Block One (1) of SPARTA OAKS DEVELOPMENT ADDITION, in Bell County, Texas, according to the plat of record in Cabinet A, Slide 289-D, Plat Records of Bell County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is subject to the easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas.

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019

14-1359 Dickson #15.00 ✓
MONTEITH ABSTRACT & TITLE COMPANY
2010 BIRD CREEK DRIVE, SUITE 102
TEMPLE, TEXAS 76502



Prattley Coston
CO. CLERK, BELL CO., TX

leases, mineral severances, agreements and maintenance charges, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; taxes for the year 2014 and subsequent years; and subsequent assessments for 2014 and prior years due to change in land usage, ownership or both, the payment of which Grantee assumes.


Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Genovefa Bell by attorney-in-fact Jimmy Mac Bell
GENOVEFA BELL, by her attorney-in-fact,
JIMMY MAC BELL

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on this the 28 day of May, 2014, by JIMMY MAC BELL, known to me to be the person whose name is subscribed to the foregoing instrument as attorney-in-fact of GENOVEFA BELL, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

 BRAD TURNER
Notary Public
STATE OF TEXAS
My Comm. Exp. 02/18/2015

BT

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

Prepared in the Law Office of:

Harrell & Stuebner, P.C.
Attorneys at Law
2106 Bird Creek Drive
Temple, Texas 76502
(254) 771-1855

S:\real estate\Real Estate Documents\DOCUMENTS\Decds\WD\Dickson.Bell.doc

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Shelley Costen
CO. CLERK, BELL CO., TX

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



70 2014 00018631

Instrument Number: 2014-00018631

Recorded On: May 29, 2014

As
Recordings

Parties: BELL GENOVEFA

Billable Pages: 2

To DICKSON CHESTER E

Number of Pages: 3

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	15.00
Total Recording:	15.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2014-00018631
Receipt Number: 204724
Recorded Date/Time: May 29, 2014 02:31:19P

Record and Return To:

MONTEITH ABSTRACT & TITLE CO
106 S EAST ST
BELTON TX 76513

User / Station: L Mulcahy - Cash Station 3



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

FEB 15 2019



Shelley Coston
CO. CLERK, BELL CO., TX

By: J Martinez

TAB 12



Texas Commission on Environmental Quality
Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4691, FAX (512) 239-2214

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

This form is provided to assist entities in developing a water conservation plan for individually-operated irrigation systems. If you need assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

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

Contact Information

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

I. BACKGROUND DATA

A. Water Use

1. Annual diversion appropriated or requested (in acre-feet): 315

<i>Type of crop</i>	<i>Growing Season (Months)</i>	<i>Acres irrigated/year</i>
Common Coastal Bermuda	June-October	183
Bermuda Jigs	June-October	19
Tifton 85/Coastal Mix	June-October	20
Row Crop Acreage	September-May	227
Pecan Orchards	January-January	20
Total acres irrigated		469

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

January	February	March	April
15	15	15	35
May	June	July	August
35	35	35	35
September	October	November	December
35	35	15	10
Total All Months			315

3. Are crops rotated seasonally or annually? Yes No

If yes, please describe:

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

Loam with some rock

B. Irrigation system information

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

Three 180-horsepower units with 4" Cornell centrifugal pumps to create 1000 GPM diversion with one or more of the three pump sites. One 1000' pivot system and several hose reel water cannon machines. This irrigation system uses water appropriated pursuant to Certificates of Adjudication Numbers 12-2948, as amended, and 12-2949, as amended, both of which share a combined maximum diversion rate of 2.23 cubic feet per second.

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

Agricultural meters regulated by the BRA Water Master.

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

Yes, we plan to use the efficiencies and savings for the same agricultural use as is authorized by the water rights permits.

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

- a. 5-year goal:
System efficiency as a percentage - 80%
- b. 10-year goal:
System efficiency as a percentage - 80%

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

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

Yes No

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

C. Conservation practices

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

Our pivot system has pressure devices and are on a monitoring cell brick communication system that contacts us with information pertaining to the running of that system. Our pumps have Murphy pressure switches that will shut off the pumps in the event of pressure drops.

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

Same as above.

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

Yearly irrigation schedules are in place to timeline the movement of water cannons per field. Amendment of COAs 12-2948 and 12-2949 to increase the maximum combined diversion rate will enable increased irrigation during nighttime hours, thereby decreasing evaporative losses that would otherwise result from irrigating during daytime hours.

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

We use herbicides to control all unwanted weeds, and we fertilize according to a plan set out by soil and forage testing. We test the hay after each cut with testing laboratories (A&M and A&L Laboratories), for protein and digestible nutrients and fertilize accordingly.

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

None.

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

During the hay growing season we shut down irrigation in each field for harvest approximately 1 week a month prior to harvest (approximately every 28 to 30 day cycles).

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

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

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

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