



## **THORNHILL GROUP, INC.**

Professional Hydrogeologists • Water Resources Specialists

March 17, 2024

Mr. Alan M. Day, General Manager  
Brazos Valley Groundwater Conservation District  
112 West 3<sup>rd</sup> Street  
Hearne, Texas 77859

(via e-mail: [aday@brazosvalleygcd.org](mailto:aday@brazosvalleygcd.org))

Re: Transport Permit Application with Modified and Supplemented Documentation for Simsboro Aquifer Groundwater - Submitted to the Brazos Valley Groundwater Conservation District  
On Behalf of Cula d' Brazos, LLC and UWBFV (Co-Applicants)  
Robertson County, Texas

Dear Mr. Day:

As requested, Thornhill Group, Inc. (TGI) submits to you and the Members of the Board of the Brazos Valley Groundwater Conservation District (BVGCD), a link to a digital document compiling the appropriate components of the original application with all modifications and supplements to the Transport Permit Application package submitted on January 14, 2024. The document is available for download at the link provided in the accompanying e-mail and includes:

- ❖ Attachment A – BVGCD Transport Permit Application Forms
- ❖ Attachment B – Well Locations and Information
- ❖ Attachment C – Section IV Plans and Supplemental Information Per BVGCD Rules Adopted on September 14, 2023
- ❖ Attachment D – Affidavits of Legal Rights
- ❖ Attachment E – Hydrogeologic Evaluation Report

TGI, on behalf of Co-Applicants, respectfully requests that the staff and Board of Directors of the BVGCD review and approve the Transport Permit Application, as modified. If you have any questions, please contact me by telephone at (512) 244-2172 or via e-mail at [mthornhill@tgi-water.com](mailto:mthornhill@tgi-water.com). Thank you very much for your consideration.



The seal appearing on this document was authorized by Michael R. Thornhill, P.G. on March 17, 2024.

Sincerely,  
**THORNHILL GROUP, INC.**

Michael R. Thornhill, P.G.  
President

### Attachments

1106 South Mays Street, Suite 100 • Round Rock, Texas 78664  
(512) 244-2172 • E-mail: [consult@tgi-water.com](mailto:consult@tgi-water.com)  
Licensed with the Texas Board of Professional Geoscientists (License Number: 50346)



Attachment A – BVGCD Transport Permit Application Form



# BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

P.O. Box 528 · HEARNE, TX 77859 · (979)279-9350 · FAX: (979)279-0035  
WWW.BRAZOSVALLEYGCD.ORG

## Transport Permit Application

For District Use Only:

_____
Application Date
_____
Temporary Permit Number

### SECTION I – APPLICANT

Name of Applicant: Cula d' Brazos, LLC

Contact Person: Mark Hoelscher

Mailing Address: 1108 Kinney Avenue

City Austin State Texas Zip 78704

Phone Number (512) 975-9117

### SECTION II – NATURE AND PURPOSE FOR GROUNDWATER USAGE

State the proposed nature and purpose and list proposed usage of groundwater produced from wells and the amount of usage

Nature and purpose: See Attachment C

Use See Attachment C Amount Used \_\_\_\_\_ acre-feet/year

Use \_\_\_\_\_ Amount Used \_\_\_\_\_ acre-feet/year

Use \_\_\_\_\_ Amount Used \_\_\_\_\_ acre-feet/year

Total Amount to be used \_\_\_\_\_ acre-feet/year

Location of Water Usage See Attachment C

Total Proposed Amount of Water to Be Transported Annually: 12,000 acre feet



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## SECTION III – WELL INFORMATION

Please provide information for each well which will be used to provide groundwater for this permit.  
If more entries are needed please attach an amendment sheet to this form.

**BVGCD Well Number:** BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414

**Landowner Name** Cula d' Brazos, LLC

**Mailing Address** 1108 Kinney Avenue

**City** Austin **State** Texas **Zip** 78704

**Location of well: Latitude** See attached Table A **Longitude** See attached Table A

**Description of physical location** \_\_\_\_\_

**Date Drilled:** To be drilled 2024 **Driller's Name & Lic. #:** TBD

**What is the known or proposed total depth of the well?** See attached Table B **feet**

**What is the known or proposed screened interval of the well?** TBD **feet**

**What is the known or proposed capacity of the well?** See attached Table A **gpm**

**What aquifer will the well be producing from?** Simsboro

**Request for Well to be Aggregate with other wells? Yes  No**  **If yes, list wells:**

All wells included in this application to be aggregated together

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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## SECTION IV – PLANS

Indicate the anticipated time within which any proposed construction or alteration of the transport facilities is to begin: From See Attachment C to \_\_\_\_\_

Description of the facilities to be used for transportation of water: See Attachment C

State the presently anticipated duration for the proposed transport of groundwater:

From See Attachment C to \_\_\_\_\_

Availability of feasible and practicable alternative supplies to the applicant See Attachment C

The projected effect of the proposed groundwater transport on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District, including the Rule 8.4 information and studies and any proposed plan of the applicant to mitigate adverse hydrogeological impacts of the proposed transport of water from the District.

See Attachment C

Indicate the following items (Rule 8.4) are attached:

Groundwater Conservation Plan Yes \_\_\_\_\_

OR X I declare that I will comply with the District's Management Plan

Drought Contingency Plan Yes \_\_\_\_\_

OR X I declare that I will comply with the District's Drought Contingency Plan

Well Closure Plan Yes \_\_\_\_\_

OR X I declare that I will comply with the District's Well Plugging Guidelines

Evidence Providing Legal Authority to Produce Groundwater Yes X No \_\_\_\_\_

Evaluation Report Yes X No \_\_\_\_\_



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## SECTION V – DECLARATIONS

The Applicant agrees to the following conditions:

- I agree to avoid waste and achieve water conservation.
- I agree that reasonable diligence will be used to protect groundwater quality
- I agree that well plugging guidelines will be followed at the time of well closure

## SECTION VI – AFFIRMATION AND EXECUTION

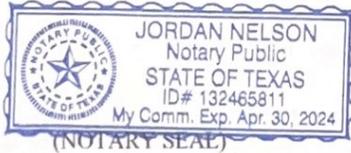
I certify that all statements and information in this application are true and correct.

C Mack Hoelsches  
Signature of Applicant

THE STATE OF TEXAS  
COUNTY OF Texas

This instrument was acknowledged before me on (date) January 11, 2024

By (applicant) C Mack Hoelsches



Jordan Nelson  
Notary Signature

Can be notarized in the presence of any Notary of your choice. We have a Notary at the BVGCD Office.

**Applicant Certification**

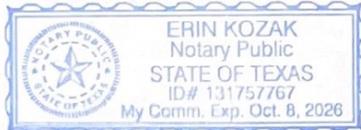
I certify on behalf of Applicant **Cula d'Brazos, LLC**, that Applicant is requesting the modification of its transport permit application per the attached package, including the addition of UW Brazos Valley Farm LLC as Co-Applicant to be co-permittee, specifying that the application is to transport such groundwater as part of the UWBFV Project (as defined in Attachment C), and specifying the aggregate proposed amount of water to be transported annually as 100,000 acre-feet per year.

**Cula d'Brazos, LLC**

Signed *Mark Hoelscher*  
**Mark Hoelscher, Authorized**  
**representative of Cula d'Brazos, LLC**

**SWORN AND SUBSCRIBED** to before me on this the 12 day of March, 2024.

(Notary Seal)



*Erin Kozak*  
**Notary Public in and for the State of Texas**  
**My Commission Expires: 10/08/2026**



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## Transport Permit Application

For District Use Only:

_____
Application Date
_____
Temporary Permit Number

<b>Addition of Co-Applicant and Modification of Aggregate Proposed Amount of Water to Be Transported Annually</b>
---

### SECTION I – APPLICANT

Name of Applicant: UW Brazos Valley Farm LLC (Co-Applicant)

Contact Person: David L. Lynch

Mailing Address: 7670 Woodway Drive, Suite 200

City Houston State Texas Zip 77063

Phone Number (646) 961-3272

### SECTION II – NATURE AND PURPOSE FOR GROUNDWATER USAGE

State the proposed nature and purpose and list proposed usage of groundwater produced from wells and the amount of usage

Nature and purpose: See Applicant Form

Use See Attachment C Amount Used \_\_\_\_\_ acre-feet/year

Use \_\_\_\_\_ Amount Used \_\_\_\_\_ acre-feet/year

Use \_\_\_\_\_ Amount Used \_\_\_\_\_ acre-feet/year

Total Amount to be used \_\_\_\_\_ acre-feet/year

Location of Water Usage \_\_\_\_\_

Total Proposed Amount of Water to Be Transported Annually: \_\_\_\_\_\* \_\_\_\_\_ acre feet

\*Up to 12,000 acre-feet per year as part of the UWVBF Project (defined in Att. C). The aggregated total groundwater authorized for transport out of the District from all District-authorized wells included in the UWVBF Project shall be limited to 100,000 acre-feet per year in the aggregate.



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## SECTION III – WELL INFORMATION

Please provide information for each well which will be used to provide groundwater for this permit.  
If more entries are needed please attach an amendment sheet to this form.

<b>BVGCD Well Number:</b> <u>See Applicant Form</u>
<b>Landowner Name</b> _____
<b>Mailing Address</b> _____
<b>City</b> _____ <b>State</b> _____ <b>Zip</b> _____
<b>Location of well: Latitude</b> _____ <b>Longitude</b> _____
<b>Description of physical location</b> _____
<b>Date Drilled:</b> _____ <b>Driller's Name &amp; Lic. #:</b> _____
<b>What is the known or proposed total depth of the well?</b> _____ <b>feet</b>
<b>What is the known or proposed screened interval of the well?</b> _____ <b>feet</b>
<b>What is the known or proposed capacity of the well?</b> _____ <b>gpm</b>
<b>What aquifer will the well be producing from?</b> _____
<b>Request for Well to be Aggregate with other wells? Yes ___ No ___ If yes, list wells:</b> _____ _____ _____



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## SECTION IV – PLANS

[See Applicant Form and Appendix C](#)

Indicate the anticipated time within which any proposed construction or alteration of the transport facilities is to begin: From \_\_\_\_\_ to \_\_\_\_\_

Description of the facilities to be used for transportation of water: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

State the presently anticipated duration for the proposed transport of groundwater:

From \_\_\_\_\_ to \_\_\_\_\_

Availability of feasible and practicable alternative supplies to the applicant \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The projected effect of the proposed groundwater transport on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District, including the Rule 8.4 information and studies and any proposed plan of the applicant to mitigate adverse hydrogeological impacts of the proposed transport of water from the District.

\_\_\_\_\_  
\_\_\_\_\_

Indicate the following items (Rule 8.4) are attached:

Groundwater Conservation Plan Yes \_\_\_\_\_

OR  I declare that I will comply with the District's Management Plan

Drought Contingency Plan Yes \_\_\_\_\_

OR  I declare that I will comply with the District's Drought Contingency Plan

Well Closure Plan Yes \_\_\_\_\_

OR  I declare that I will comply with the District's Well Plugging Guidelines

Evidence Providing Legal Authority to Produce Groundwater Yes  No \_\_\_\_\_

Evaluation Report Yes  No \_\_\_\_\_



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## SECTION V – DECLARATIONS

The Applicant agrees to the following conditions:

X  I agree to avoid waste and achieve water conservation.

X  I agree that reasonable diligence will be used to protect groundwater quality

X  I agree that well plugging guidelines will be followed at the time of well closure

## SECTION VI – AFFIRMATION AND EXECUTION

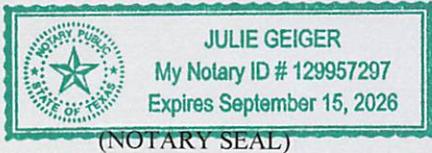
I certify that all statements and information in this application are true and correct.

Signature of Applicant (Co-Applicant)

THE STATE OF TEXAS  
COUNTY OF Harris

This instrument was acknowledged before me on (date) March 13, 2024

By (applicant) David L. Lynch



(NOTARY SEAL)

Notary Signature

Can be notarized in the presence of any Notary of your choice. We have a Notary at the BVGCD Office.

## Attachment B – Well Locations and Information

Table A

Well	BVGD Permit No.	Pumping Rate (gpm)	Annual Permit Allocation (Acre-Feet)	Latitude DMS	Longitude DMS	Total Depth (Approx. ft BGL)	Depth to Screen (Approx. Ft BGL)
No. 1	BVDO-0408	2,200	2,839	30°51'43.89"N	96°40'17.45"W	1,380	910
No. 2	BVDO-0409	2,300	2,968	30°51'34.60"N	96°40'42.46"W	1,380	910
No. 3	BVDO-0410	1,000	1,290	30°50'34.78"N	96°38'37.34"W	1,570	1,070
No. 4	BVDO-0411	950	1,226	30°50'23.69"N	96°38'59.56"W	1,570	1,070
No. 5	BVDO-0412	900	1,161	30°50'13.70"N	96°39'19.99"W	1,570	1,070
No. 6	BVDO-0413	900	1,161	30°50'01.62"N	96°39'42.96"W	1,570	1,070
No. 7	BVDO-0414	1,050	1,355	30°50'02.16"N	96°38'53.17"W	1,670	1,160
Total			12,000				

Attachment C – Section IV Plans and Supplemental Information Per  
BVGCD Rules Adopted on September 13, 2023

## ATTACHMENT C

### SUPPLEMENTAL INFORMATION FOR SECTION IV – PLANS

#### Summary

UW Brazos Valley Farm LLC (UWBVF or Co-Applicant) intends to transport from as many as seven (7) of Cula d’Brazos, LLC (CDB or Applicant’s) authorized wells up to 12,000 acre-feet per year of its permitted Simsboro Aquifer groundwater to Williamson, Bell, Milam, and/or Travis Counties. This application is to transport such groundwater as part of the UWBVF Project (as defined below) and the aggregated total groundwater authorized for transport out of the District from all District-authorized wells included in the UWBVF Project shall be limited to 100,000 acre-feet per year in the aggregate.

Upon UWBVF’s exercise of the Option Agreement (as desired and anticipated), UWBVF will have the right to include the Applicant’s Simsboro Operating Permits and the permit that is the subject of this related pending transport permit application in a collective project that UWBVF will develop. Seven local landowners, including Applicant, who hold existing operating permits issued by the District for a combined total maximum production of 57,718 acre-feet per year (collectively, the Optioned Groundwater) have entered Option Agreements with UWBVF: Cula d’Brazos; Ely Family Partnership L.P.; Fazzino Investments; LP, L. Wiese Moore, LLC; RH2O, LLC; James Brien; and Clifford A. Skiles III (collectively, the Optioned Owners). Consistent with the terms thereof, UWBVF will have the right to produce and transport the Optioned Groundwater using the wells subject to the Groundwater Leases, a gathering network and a transmission system to be developed by UWBVF to the requested western receiving area. UWBVF, also a local landowner, holds existing transport and related production permits issued by the District for 49,999 acre-feet per year from its Goodland Farms property. Optioned Groundwater will be combined with the rights of the Goodland Farms property to support UWBVF’s proposed project (this intended collective project is referred to as the UWBVF Project). There will be a hub for the UWBVF Project’s connection of the gathering system to the transmission system to the western receiving area. The hub is likely to be located on the Goodland Farms property.

UWBVF will produce for transport from the District no more than 100,000 acre-feet per year in the aggregate from District-authorized wells over which UWBVF has production and transport rights. The transport permit aggregate authorization of 100,000 acre-feet coupled with the *authorized* production of greater than 100,000 acre-feet in total allows for the dispersed well locations across the UWBVF Project to be managed taking into consideration the Simsboro aquifer response as test wells are evaluated and further as the pumping profile is developed over time. The potential variation in production across the well locations will support a carefully managed project that will provide long-term sustainable water supply critical to the region and the State, consistent with good stewardship of the resource for the local community and the region.

Based on ongoing project development, it is anticipated that the transport may be primarily to the City of Georgetown (City) in Williamson County; however, other municipalities, public water suppliers, or other end users in Williamson County, Bell County, Milam County, and Travis County may elect to participate in a regional project with Georgetown or otherwise contract for such water supply, if available. The proximity of significant growth areas and, in some cases, existing or planned infrastructure, located within service areas of multiple water providers make a cooperative regional project viable.

Water supply for three of these four counties is a critical need, and well documented in the Regional and State Water Plans, as discussed further below. The largest growth across this receiving area is in municipal water demand (inclusive of commercial developments); new industrial developments also continue to focus on potential locations in Central Texas. These significant demands to the west of Robertson County demonstrate that groundwater supply is and will be in high demand. Accordingly, the production of groundwater in accordance with the existing, issued operating permits would be transported to this requested four County receiving area, supporting regional and state economic development. Appendix A provides a map illustrating the producing and receiving areas and the well locations of currently Optioned Groundwater.

As one example, the City of Georgetown conducted multi-year water planning and its detailed study identified a “gap” of as much as 99,000 acre-feet per year between its currently available water supplies and its 2070 water demands (see the Georgetown City Council Presentation of December 12, 2023). Based on its Integrated Water Resources Plan (IWRP) completed in December of 2022, the City noted “unprecedented water demand growth” and stated that the City will continue its practice of conjunctive use of surface water and groundwater, and the City will also employ conservation measures and look to other alternatives such reclaimed water to meet its water needs (see the City’s web site).

Accordingly, the City has entered into a reservation agreement with EPCOR to negotiate a public-private partnership and a Water Supply Agreement for Georgetown to import between 39,399 and 70,000 acre-feet per year from Robertson County, Texas (see City presentation from December 12, 2023). Co-Applicant has entered an agreement with EPCOR. As the potential to supply water to the City contemplated in the reservation agreement moves forward, it is possible that other municipalities, public water suppliers, or other end users will participate in that or another regional project. Negotiations with a second municipality in Williamson County to import Simsboro Aquifer groundwater from Robertson County are also in an advanced stage.

The CDB wells will be completed at the locations specified in its Drilling/Production Permits and in accordance with all applicable State of Texas and BVGCD rules. The alignment and size of the main transmission line, the sizes and locations of collection lines, the number of storage facilities, and other appurtenances are not yet known. When the water is firmly contracted, additional details of the customers’ systems can be provided, and those systems will comply with applicable rules, regulations, and guidance set forth by the Texas Commission on Environmental Quality

(TCEQ) and State of Texas Public Utilities Commission (PUC). It is anticipated, based on negotiations to date, that the end users will be regulated public water systems through or in addition to the City. Notably, the City of Georgetown has included water conservation as one of its multiple water strategies, and is targeting a 10 percent reduction in the City annual demand through conservation measures (IWRP).

The Well Assistance Agreement voluntarily developed and funded by UWBVF in conjunction with and agreed to by BVGCD on October 22, 2022, would be available in connection with CDB's already-authorized production associated with this transport permit to mitigate Simsboro wells in a manner consistent with the program described in Section 16 of the rules.

The following sections provide information for the subsections in BVGCD Rule 10.3. Please note that the version of the rules currently posted on the BVGCD web site contains an error in denoting the subsections; subsection (c) is listed twice. We have taken the liberty herein to redesignate the subsection paragraphs with consecutive letters from (a) through (g).

### **Rule 10.3 (a) – Availability of Water in the District and in Proposed Receiving Area**

The current BVGCD Management Plan reported that the total groundwater use in Robertson County was 74,761 acre-feet during 2016, of which 63,188 acre-feet was used for irrigation (BVGCD Management Plan, May 2019, Appendix B1). The reported total municipal water use in Robertson County was 2,199 acre-feet in 2016 (BVGCD Management Plan, May 2019, Appendix B1). Based on the 2021 Brazos G Regional Water Plan (Brazos G RWP) the water needs (i.e., deficit based on current supplies) for Robertson County starting in 2070 will be 76,138 acre-feet per year; of that amount 99 percent of the additional water needed will be for agricultural irrigation (44,445 acre-feet per year), mining (12,735 acre-feet per year), and steam electric/power (18,478 acre-feet per year). The draft BVGCD Management Plan pending approval from the Texas Water Development Board (TWDB) states that even should steam electric demands increase as projected, "Groundwater and surface water are readily available and likely sources of water to remedy any long-term needs" (BVGCD Management Plan DRAFT, October 2023). Irrigation pumping in Robertson County is primarily from the Brazos River Alluvium Aquifer. While not delineating between irrigation and non-irrigation pumping, the TWDB reports that pumping for the Brazos River Alluvium for 2020 was 68,005 acre-feet. Most of that pumping is likely for agricultural irrigation purposes (BVGCD, email data transfer, December 29, 2023). By comparison the reported Simsboro pumping for 2020 was 19,758 acre-feet and, based on groundwater usage for 2016 reported by the TWDB, it is likely that about half of the Simsboro usage was for non-irrigation purposes (BVGCD, Personal Communication and email data transmittal, December 29, 2023 and BVGCD Management Plan, 2019). Based on prohibitive depths and associated costs, it is anticipated that future irrigation pumping will be derived predominantly from the Brazos River Alluvium Aquifer and, in southern Robertson County, by formations overlying the Simsboro. The Brazos G RWP reports that only one municipal water supplier will have a water need in 2070 totaling 526 acre-feet per year (Brazos G RWP, 2020). The Simsboro Aquifer is not heavily tapped in Robertson with reported pumping in 2022 of 19,236 acre-feet (BVGCD Personal

Communication and email data transmittal, December 29, 2023. The current modeled available groundwater (MAG) value for the Simsboro in Robertson County is 82,824 acre-feet per year in 2070 (TWDB, 2023).

Note that the Applicant (i.e., CDB) has no alternative source of water that would allow participation in the UWBVF's (or any other sponsor) groundwater project. Similarly, the current RWP and State Water Plan demonstrate that the water needs are so substantial that the likely end users of water from the subject transport of Robertson County water have explored multiple alternative water supply strategies. The end users in the receiving area will use the water for beneficial uses which will primarily include municipal or public water supply but uses could also include any other beneficial use as defined by Chapter 36 of the Texas Water Code including industrial/manufacturing, irrigation, recreational uses, and others.

The current Brazos G RWP projects that the municipal water demands alone for Williamson County will increase from 97,248 acre-feet per year in 2020 to 244,045 acre-feet per year in 2070 (Brazos G RWP, October 2020, p. 2-54). Similarly, the municipal water demands in Bell County are projected to increase from 64,087 acre-feet per year in 2020 to 112,347 acre-feet per year in 2070. The 2021 Region K Regional Water Plan (Region K RWP) projects that Travis County municipal water demands will increase from 235,239 acre-feet per year in 2020 to 393,494 acre-feet per year in 2070 (Region K RWP, October 2020). Much of the population and resulting water demand growth in Williamson, Bell, and Travis counties results in projected water shortages and the areas are geographically distributed such that water suppliers in each of those counties could benefit from water available from a regional water project supplying water from Robertson County. Water demands in Milam County are projected to increase by about 831 acre-feet per year from 2020 to 2070; however, a regional project from Robertson County to the high-growth areas along Texas State Highway 130 and Interstate 35 could provide water to communities in Milam County.

As noted, negotiations are ongoing with the City of Georgetown to supply water from Robertson County. The City "...is projected to have a (water) shortage from 2030 through the year 2070" with shortages estimated to be 28,300 acre-feet per year by 2040 and 66,632 acre-feet per year by 2070, according to the Brazos G 2021 RWP (Brazos G RWP, October 2020, p. 5.36-1. The Brazos G RWP projects shortages for other municipalities in the receiving area by at least 2040, if not sooner. The City of Georgetown commissioned its own independent water planning study, the Integrated Water Resources Plan (IWRP), which was completed by CDM Smith in May of 2023. The IWRP projected that the City has a "gap" between its existing available supplies and future demands of up to 99,000 acre-feet per year by 2070 (CDM Smith, 2023). The IWRP shows that the City will continue its conjunctive use of local groundwater and surface water available from the Brazos River Authority (BRA), but also will implement other water supply strategies including conservation and water reclamation. The IWRP concluded that the City needs additional supply to be on line by 2030 and that the new groundwater and reclaimed water options provide the best supply reliability. Based on the City's multi-year planning and the feasibility results in their IWRP regarding existing and future water supplies, the City has entered into a reservation

agreement with EPCOR to negotiate a public-private partnership and a Water Supply Agreement for Georgetown to import between 39,399 and 70,000 acre-feet per year of Simsboro Aquifer groundwater from Robertson County (see City of Georgetown City Council Presentation of December 12, 2023). UWBVF has entered agreements with EPCOR to pursue the project and secure the groundwater resources, including from its own permits and other landowners in Robertson County, to provide the water for the project. Appendix A provides maps illustrating the producing and receiving areas, including a map illustrating the City as an anticipated receiver within that broader geographic area, pending ongoing negotiations.

**Rule 10.3 (b) – Projected Effect of the Proposed Groundwater Transport on Aquifer Conditions**

The projected effects of permitted pumping of 13,872 acre-feet per year from the Simsboro Aquifer were presented in the Aquifer Evaluation Report submitted with the CDB Drilling/Operating Permit Application package (see Thornhill Group, Inc., July 28, 2023). Additionally, the BVGCD’s consultants and staff evaluated and reviewed potential impacts. Subsequently, the BVGCD approved and enacted revised rules with some additional requirements for evaluating impacts (BVGCD, September 14, 2023). In accordance with revised BVGCD Rule 8.4(b)(B)(3), Appendix B provides maps illustrating drawdown contours with respect to existing or proposed (i.e., permitted) Simsboro wells based on modeling of the CDB pumping 13,872 acre-feet per year for pumping durations of one (1), 10, and 20 years. Additionally, Appendix B provides tabulations of modeled drawdown on registered and permitted Simsboro wells. The following tables summarize ranges of the modeled effects (i.e., reduction in artesian pressure or drawdown) on Simsboro Aquifer wells near the CDB property and proposed wells:

GAM Run Estimates

Distance from CDB Wells	<u>Ranges in Drawdown per Modeled Duration of Pumping</u>		
	1 Year	10 Years	20 Years
1 Mile	38 to 72	46 to 78	51 to 83
5 Miles	8 to 72	12 to 78	15 to 83
10 Miles	0 to 72	1 to 78	2 to 83

Analytical Modeling Estimates

Distance from CDB Wells	<u>Ranges in Drawdown per Modeled Duration of Pumping</u>		
	1 Year	10 Years	20 Years
1 Mile	79 to 112	88 to 121	116 to 149
5 Miles	53 to 112	62 to 121	90 to 149
10 Miles	38 to 112	47 to 121	75 to 149

Per BVGCD Rule 8.4(b)(B), an evaluation of the effects of the proposed CDB well pumping of 12,000 acre-feet per year on the applicable desired future conditions (DFC) is provided herein, considering the current modeled available groundwater (MAG) determined by the TWDB, the

TWDB’s estimate of current and future exempt pumping, and the amount of groundwater authorized under permits previously granted by the District. The adopted DFC for the Simsboro Aquifer is currently defined as average drawdown of 262 feet within the BVGCD boundaries during the period from 2000 to 2070. (Note that the previously approved DFC was an average drawdown of 295 feet for the Simsboro Aquifer within BVGCD). Modeling using the current GAM was conducted to simulate the possible effects on the current DFC based on the following pumping scenarios:

- ✓ CDB well pumping 13,872 acre-feet per year through 2070;
- ✓ CDB well pumping 13,872 acre-feet per year as an incremental part of the combined pumping of all landowners who hold Simsboro permits based on an assumption that all permits in the District are pumped continuously (i.e., 100 percent of the time). Please note that this appears to be required by Rule 8.4(b)(7)(B)(4)(c), but it is not a scenario that is reflective of historic or anticipated usage patterns and accordingly does not represent a realistic scenario or projection; and,
- ✓ Based on a request from the District, rather than a requirement of the rules, an approximation of two pumping scenarios that assume hypothetical yet potentially “realistic” transport scenarios utilizing the dispersed well locations available to the UWBFV Project to meet demands in the receiving area. The two “project” simulations include:
  - Pumping and transporting approximately 75,000 acre-feet per year from wells permitted on landowners’ properties that have signed with UWBFV; and,
  - Pumping and transporting approximately 100,000 acre-feet per year from the same landowners’ permitted wells.

The modeling simulations were conducted for the purpose of comparing the impacts of pumping to the currently established DFC for the Simsboro Aquifer within the boundaries of the BVGCD; the DFC is 262 feet of average drawdown based on Run S-19 adopted by BVGCD and GMA 12. The modeling scenarios are summarized in the following table:

<b><u>Pumping Scenario</u></b>	<b><u>Total Simulated Pumping</u></b>	<b><u>Average Drawdown from 2000 to 2070</u></b>
S-19 (DFC Run)	147,245 acre-feet/year (MAG)	262 feet**
S-19 Plus CDB	161,978 acre-feet/year*	279 feet
S-19 Plus 75,941 AFY	225,919 acre-feet/year*	373 feet
S-19 Plus 99,924 AFY	249,902 acre-feet/year*	399 feet
S-19 Plus All Permits	355,165 acre-feet/year	558 feet

The asterisk (\*) indicates that the total pumping includes an addition 2,733 acre-feet per year from small permits granted to small public water suppliers; however, the pumping does not include the new permits granted to the City of Bryan, the City of College Station, or others.

The double asterisk (\*\*) indicates that the current DFC is derived by BVGCD and GMA 12 allowing for a 10 percent buffer. Also, note that the previously adopted DFC for BVGCD was 295 feet.

GAM modeling of the Simsboro Aquifer within GMA 12 has historically shown that, even at high pumping rates, the depletion of the amount of groundwater stored in the Simsboro Aquifer will be a very small percentage. Therefore, the Simsboro Aquifer will remain essentially full in 2070 and long beyond.

Historically, subsidence has only been considered a limiting factor in Texas with respect to groundwater production along the Gulf Coast. Also, Gulf Coast formations are geologically much younger and contain much more clay than the Simsboro Member of the Wilcox Group. Its geologic age and clay content make the Gulf Coast geologic units much more susceptible to subsidence than the Simsboro. While the Calvert Bluff Formation contains thick sections of clay, the pressure reductions in the Simsboro will not cause large pressure reductions and associated dewatering and compaction of the clays of the Calvert Bluff. Theoretical modeling conducted utilizing the TWDB's analytical subsidence model indicate that some compaction within the Carrizo-Wilcox is possible; however, subsidence is not a concern within GMA 12.

The Well Assistance Agreement voluntarily developed and funded by UWBVF in conjunction with and agreed to by BVGCD on October 22, 2022, would be available in connection with CDB's already-authorized production associated with this transport permit. The UWBVF Well Assistance Agreement is set in place to effectively mitigate Simsboro wells in a manner consistent with the program described in Section 16 of the rules. The subject Well Assistance Agreement provides for funding to support the District's execution of a phased program to proactively take steps to address Simsboro Aquifer responses to future pumping on existing Simsboro wells.

### **Rule 10.3 (c) – Brazos Region G Regional Water Plan and District Management Plan**

As stated in previous sections of this Attachment C, the 2021 Brazos G RWP (and subsequent 2022 State Water Plan) and the 2019 BVGCD Management Plan demonstrate that Robertson County will not face a groundwater shortage with respect to the Simsboro Aquifer and that Williamson County, including the City of Georgetown and others, will face severe water shortages (see response to Rule 10.3(a) above). Similarly, water providers in Bell County and Travis County will face large water-demand increases and resulting significant water shortages. The high-growth areas within Bell, Travis, and Williamson counties are geographically situated such that many of the water users in those counties could benefit from a regional water project. The water demands in Milam County will not increase substantially; however, some key municipalities and municipal water suppliers may benefit from a transmission line extending from Robertson County. The current Brazos G RWP notes that the Carrizo-Wilcox aquifer is "prodigious" and "prolific" (Brazos G Regional Water Plan, 2020, pp. ES-4 and ES-11).

While the anticipated project for the City of Georgetown (and other potential participants or end users) to import Simsboro Aquifer groundwater from Robertson County is not currently expressly included in the Brazos G RWP or the State Water Plan, the City's detailed internal water planning

efforts showed the groundwater import from Robertson County is a feasible and favorable strategy (IWRP, CDM Smith, May 2023). Negotiations with a second municipality in Williamson County to import Simsboro Aquifer groundwater from Robertson County are also in an advanced stage. Groundwater alternatives for Williamson County and the City of Georgetown have included groundwater supplies from the Brazos River Alluvium aquifer in Milam and Robertson counties (including the UWBVF project area) and Simsboro groundwater from the adjacent county. While the proposed EPCOR/UWBVF project does not require funding from the State of Texas, the project entities may proceed with ensuring the project is included in the next round of regional water planning.

### **Rule 10.3 (d) – Technical Description of Proposed Facilities and Construction Schedule**

Generally, the CDB wells will be completed per State and BVGCD regulations at the permitted locations and are anticipated to be connected via collection pipelines to the main transmission line that will extend from Robertson County to the receiving areas. Pending final negotiations, the likely route will extend from the Robertson County well fields through Milam County into Williamson County. The sizing and alignment of collection and transmission pipelines have not yet been finalized. When the water is firmly contracted, additional details of the needed systems can be provided; and those systems will comply with applicable law, including TCEQ and PUC rules. To support the expected project, all water wells, storage tanks, collection lines, valving, transmission lines, and other appurtenances will be designed, constructed, and operated in accordance with applicable rules, requirements, and guidelines of the TCEQ as set forth in Title 30 Texas Administrative Code (30 TAC), specifically within Chapter 290 and Subchapter D.

As described, negotiations with end users are ongoing and this transport permit appropriately requests the four-county receiving area. Based on negotiations to date, it is anticipated that the City of Georgetown and other municipalities in Williamson County likely will be the primary receiving customers. Accordingly, please note that during their city council meeting on December 12, 2023, the City of Georgetown laid out a project schedule for the development, construction, and operation of the proposed project to import between 39,399 acre-feet to 70,000 acre-feet of groundwater from Robertson County. The City's schedule shows project development including preliminary engineering design, securing easements, and obtaining construction permitting beginning in mid-2025 and construction beginning in early 2027. Delivery of groundwater would begin in late 2029.

Per District Rule 10.4(d)(2) and Texas Water Code Section 36.122, the initial Transport Permit should be at least three years if construction of a conveyance system has not been initiated prior to the issuance of the permit; or at least 30 years if construction of a conveyance system has been initiated prior to the issuance of the permit.

### **Rule 10.3 (e) – Anticipated Duration for Proposed Transport of Groundwater**

The duration of transport is expected to be at least 30 to 60 years, and to likely begin in 2029. Probably, the Transport Permits would be renewed, and the project continued for longer than 60 years.

In connection with the reservation agreement and ongoing development of the anticipated project, the City of Georgetown's schedule for importing Simsboro groundwater from Robertson County indicates that between 8,000 and 20,000 acre-feet per year would be pumped from 2029 to 2033. Incremental increases would result in production of 70,000 acre-feet per year by as early as 2044, after which the production of 70,000 acre-feet per year would continue until 2060 or 2090 (see City of Georgetown Presentation, December 12, 2023). However, it is likely that the groundwater transport from Robertson County to the City of Georgetown and other end users in the receiving area will continue for longer than the 60-year period.

### **Rule 10.3 (f) – Applicant Water Conservation Measures**

Co-Applicant and Applicant will, per its declarations in the accompanying Transport Permit Application forms, comply with the BVGCD's Management Plan, Drought Contingency Plan, and Well Plugging Guidelines. Water will be transported by pipeline in accordance with sound engineering practices. The project will involve a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system.

The City of Georgetown and other likely end users would implement conservation and drought contingency plans per the standard operating procedures of their water utility department or in accordance with applicable regulations. For example, the City of Georgetown's Water Conservation Plan is available here: <https://gus.georgetown.org/wp-content/uploads/sites/47/2019/08/City-of-Georgetown-Water-Conservation-Plan.pdf>. In addition, the City stated in its IWRP that it will employ conservation as one of its water supply strategies, targeting a 10 percent reduction in annual demand through conservation measures.

### **Rule 10.3 (g) – Additional Information Related to Sale of Water**

As noted earlier, Co-Applicant and Applicant have declared that they will comply with the BVGCD's Management Plan, Drought Contingency Plan, and Well Plugging Guidelines. Also, CDB will install flowmeters in accordance with BVGCD's technical requirements and will meter and report the permitted production in accordance with the District's rules.

As described above, the project receiving area is Williamson, Bell, Travis, and Milam counties. Under CDB's permits, water would be produced and transported to customers in the receiving area who would distribute water to their service areas (unless using the water itself). One or more end users likely have certificated service areas (i.e., CCNs) in the receiving area (See map in Appendix C). The end users in the receiving area will employ metering, leak detection, and repair programs for their water storage, delivery and distribution systems and such water operation

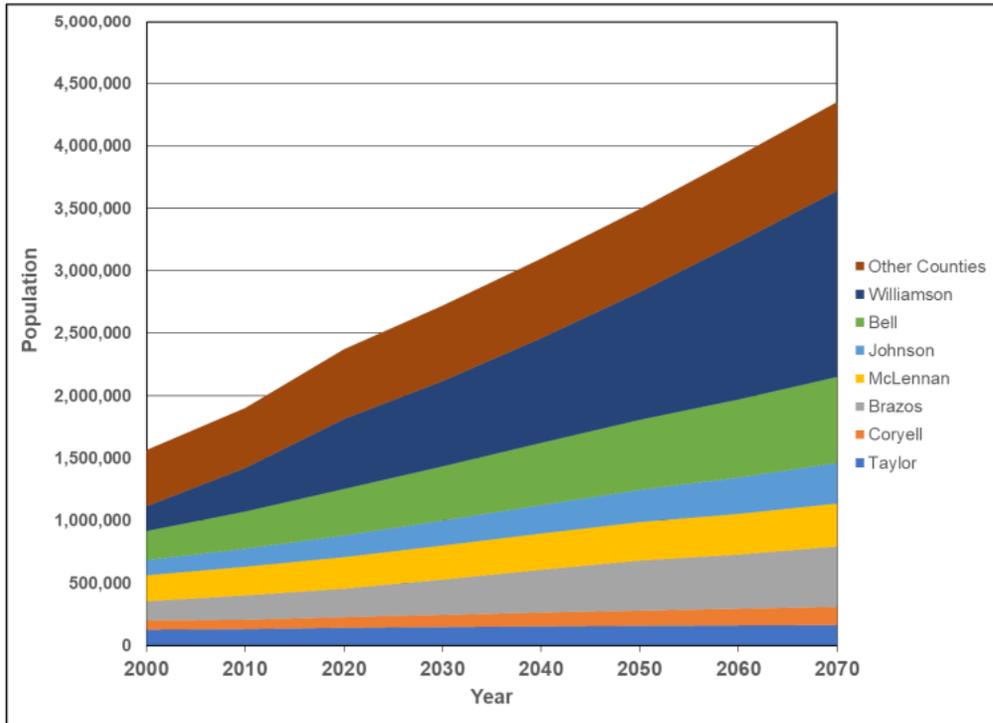
measures will be in accordance with sound engineering practices and applicable law, such as public water system regulations. Also, as required by 31 TAC 358.6 (Water Loss Audits) and summarized by the TWDB, “Currently, all retail public water systems with more than 3,300 connections or a financial obligation to TWDB are required to complete and submit a Water Loss Audit annually. All other retail public water suppliers are required to submit a Water Loss Audit to the agency every five years.” (see <https://www.twdb.texas.gov/conservation/resources/waterloss-resources.asp#:~:text=Currently%2C%20all%20retail%20public%20water,the%20agency%20every%20five%20years.>) The water will be transported by pipeline, not bed and banks. Drought and emergency water management plans will be considered in the context of final designs based on ultimate end users when contracts for sale of water are in place.

The Counties and significant water users therein are participants in the regional and state water planning process. Thus, the water demands of potential customers in the receiving area and strategies that have been evaluated for meeting their needs are set out in the Region G and K Water Plans, shown in summary form as follows and more extensively in the full Regional and State Plans. These planning efforts included evaluation of population, use, existing and anticipated supply, and various alternatives to meet need, including conservation and conjunctive use. The following are available per the planning process:

- ✓ Population projections are shown at:
  - [https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/2021\\_BrazosG\\_Chapter%20%20-%20Population%20and%20Water%20Demands.pdf](https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/2021_BrazosG_Chapter%20%20-%20Population%20and%20Water%20Demands.pdf) and
  - [https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/L/RegionL\\_2021RWP\\_V1.pdf?d=4631.899999991059](https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/L/RegionL_2021RWP_V1.pdf?d=4631.899999991059) –

2021 Brazos G Regional Water Plan | Volume I  
Projected Population and Water Demands

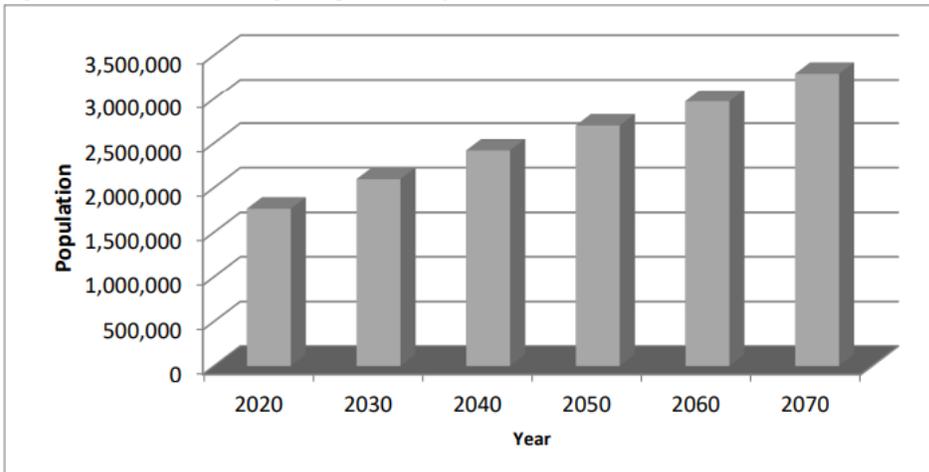
Figure 2-1. Population Projections



2021 LCRWPG WATER PLAN

2-4

Figure 2.1: Lower Colorado Region Population Projections

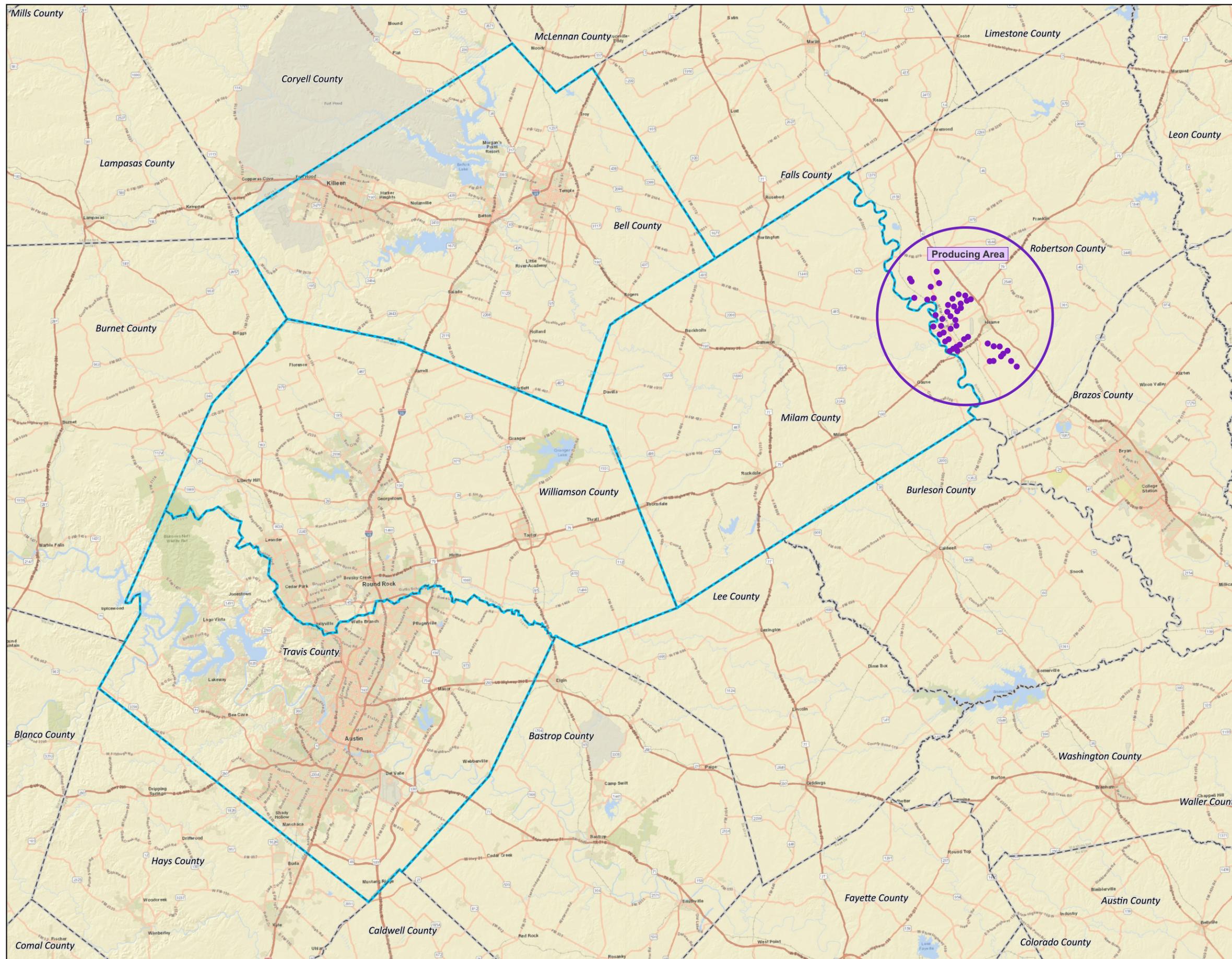


- ✓ County-level Water Supply Plan Summaries are shown at:
  - Williamson County
    - [https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021\\_BrazosG\\_5.36%20-%20Williamson.pdf](https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.36%20-%20Williamson.pdf)
  - Bell County
    - [https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021\\_BrazosG\\_5.1%20-%20Bell.pdf](https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.1%20-%20Bell.pdf)
  - Milam County
    - [https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021\\_BrazosG\\_5.25%20-%20Milam.pdf](https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.25%20-%20Milam.pdf)
  - Travis County
    - [https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/K/RegionK\\_2021RWP\\_V2.pdf?d=4631.899999991059](https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/K/RegionK_2021RWP_V2.pdf?d=4631.899999991059) (See Chapter 5).
- ✓ Water conservation is often a recommended strategy, where appropriate as set forth in the Region G and K Water Conservation Recommendations:
  - [https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021\\_BrazosG\\_5.39%20-%20Conservation%20Recommendations.pdf](https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.39%20-%20Conservation%20Recommendations.pdf)
  - Chapter 5, Section 5.2.2 discussing conservation as water management strategy  
[https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/K/RegionK\\_2021RWP\\_V2.pdf?d=4631.899999991059](https://www.twdb.texas.gov/waterplanning/rwp/plans/2021/K/RegionK_2021RWP_V2.pdf?d=4631.899999991059).
- ✓ Where end users are subject to TCEQ or TWDB requirements for Water Conservation Plans, those plans would be in place and would generally be expected to accommodate appropriate integration of the groundwater supplies.
- ✓ As it is currently anticipated that the City of Georgetown will purchase water, the following information is appropriately considered. The City’s extensive evaluation and planning in its IWRP reflects its close evaluation of population, demand, and potential supplies, including conservation.
  - [https://gus.georgetown.org/wp-content/uploads/sites/47/2023/08/Georgetown-IWRP\\_Executive-Summary\\_FINAL-2.pdf](https://gus.georgetown.org/wp-content/uploads/sites/47/2023/08/Georgetown-IWRP_Executive-Summary_FINAL-2.pdf).



- The City’s current Water Conservation Plan is available here. This plan addresses best management practices, metering, and leak detection and repair, among its many conservation requirements and initiatives.
  - <https://gus.georgetown.org/wp-content/uploads/sites/47/2019/08/City-of-Georgetown-Water-Conservation-Plan.pdf>.
  
- ✓ Notably, the City has indicated in its IWRP that additional conservation measures are targeted to achieve a 10 percent reduction in the City annual demand.

**APPENDIX A**



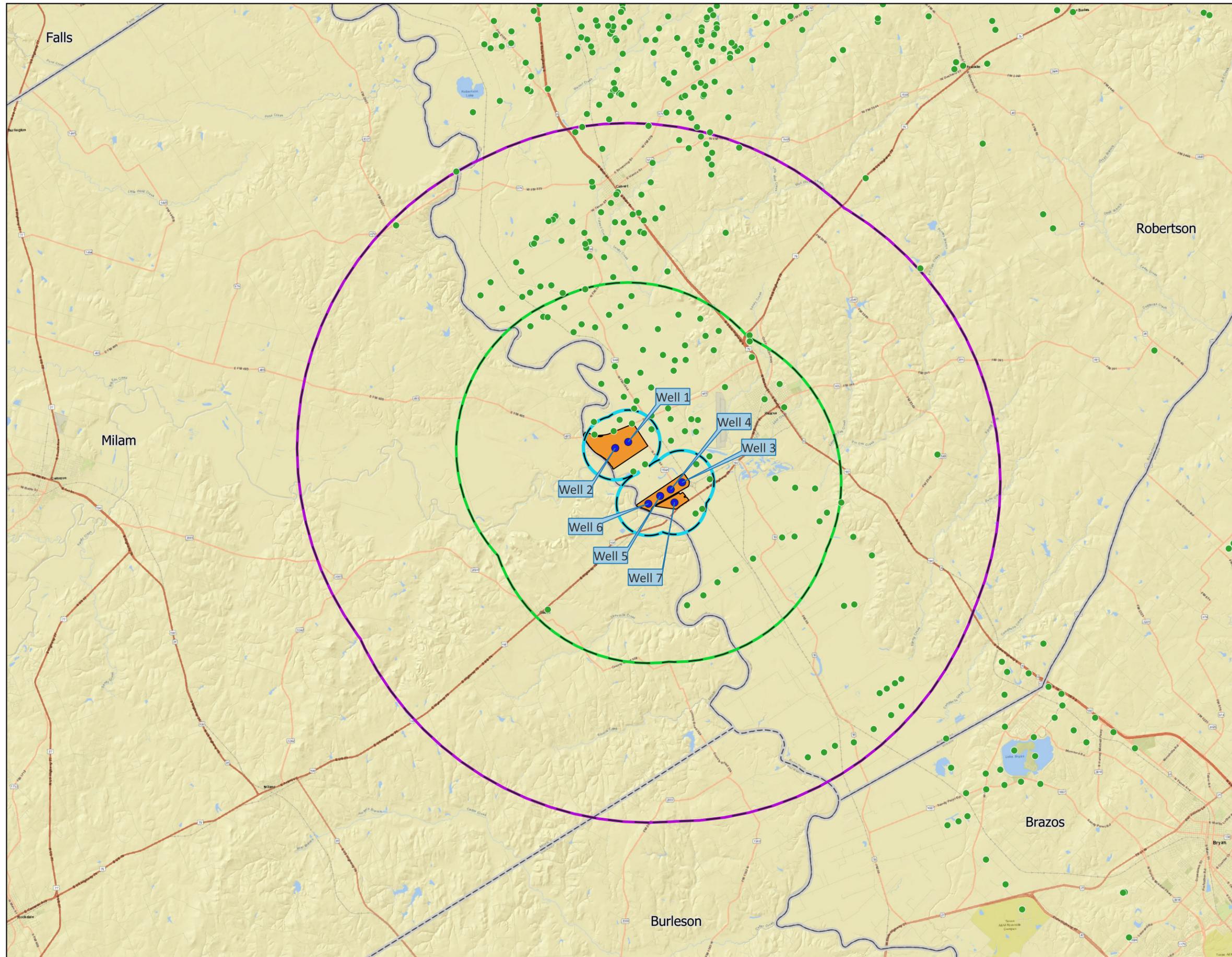
### Explanation

- Well Locations
- Counties of Interest
- Counties



Producing and  
Receiving Areas

**APPENDIX B**



**Explanation**

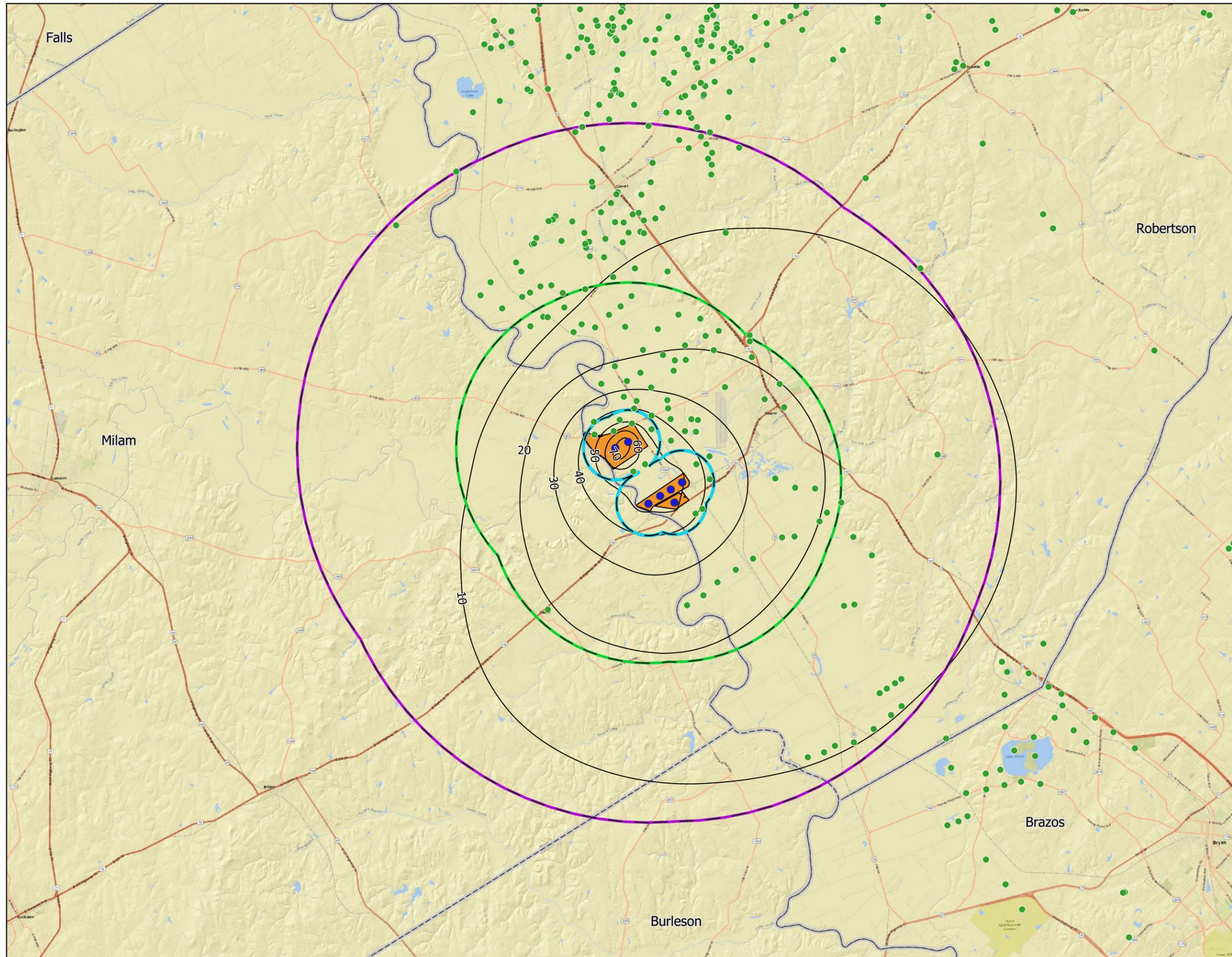
- BVGCD Registered or Permitted Simsboro Well
- Cula d'Brazos Permitted Well Location
- 1 Mile Radius from Well Location
- 5 Mile Radius from Well Location
- 10 Mile Radius from Well Location
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

**Location Map**





**Explanation**

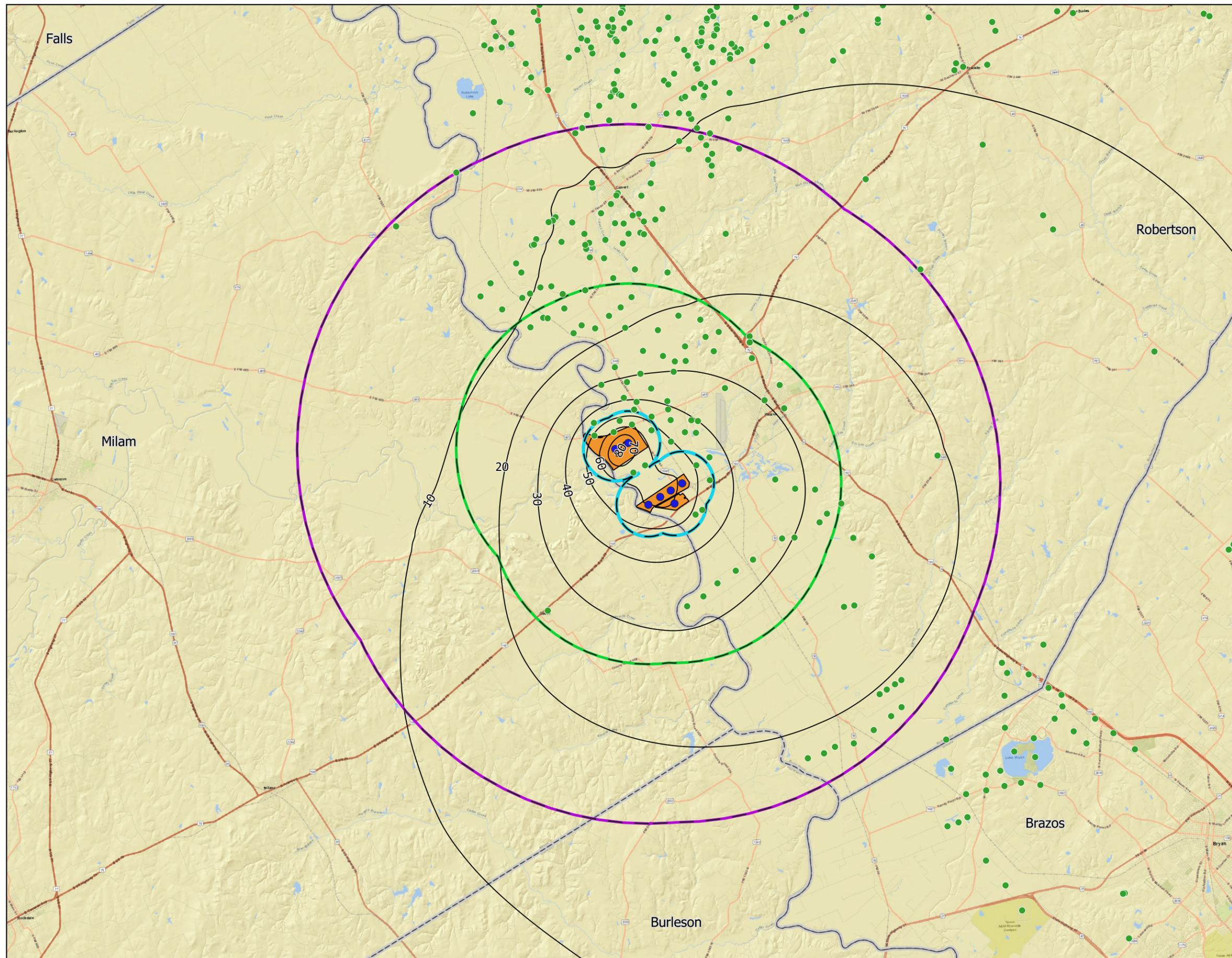
- BVGCD Registered or Permitted Simsboro Well
- Cula d'Brazos Permitted Well Location
- 1 Mile Radius from Well Location
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- 10 Mile Radius from Well Location
- 1-Year Modeled Drawdown - GAM Contour Interval = 10 feet
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

1-Year GAM  
Drawdown Contours





**Explanation**

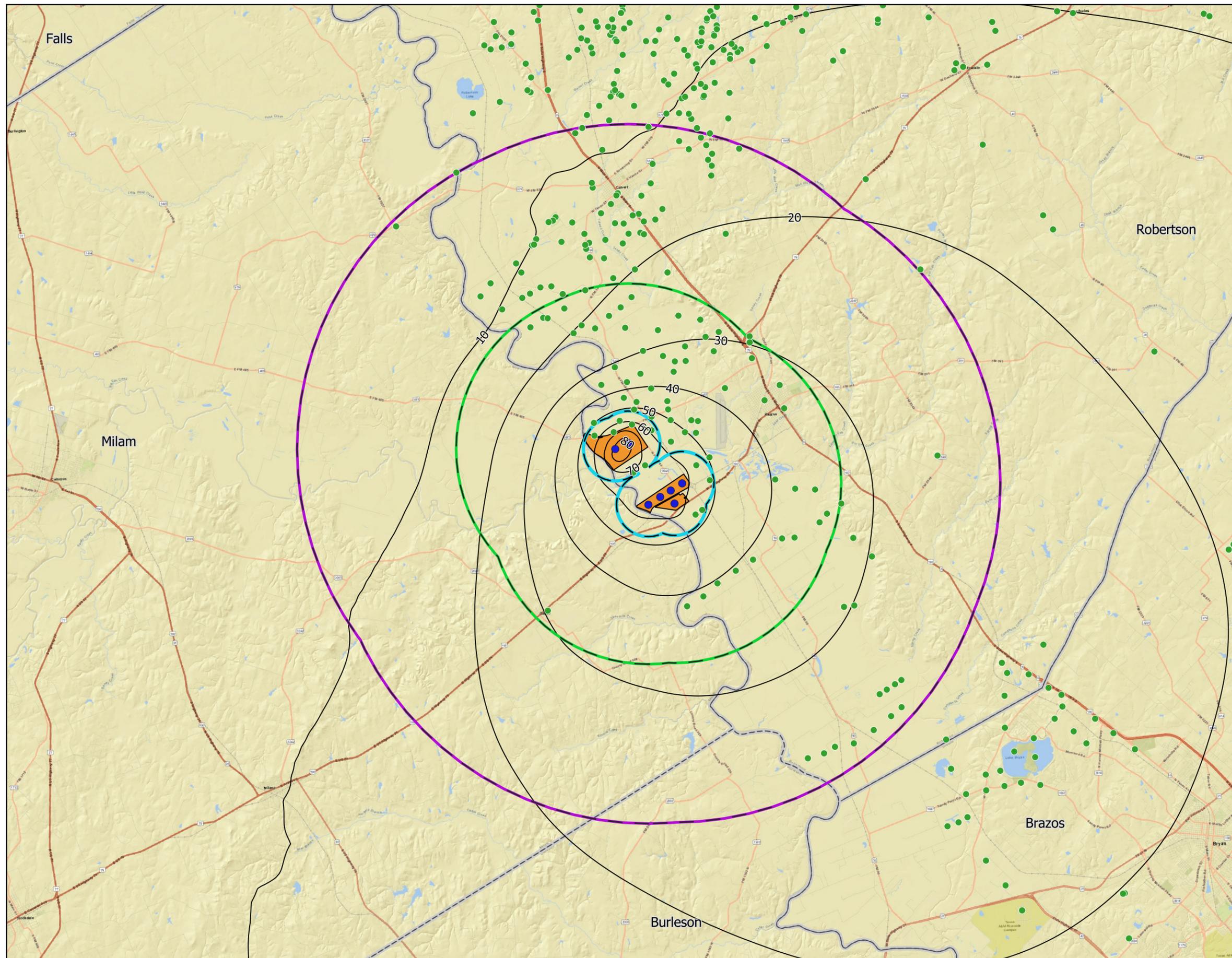
- BVGCD Registered or Permitted Simsboro Well
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- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

10-Year GAM  
Drawdown Contours





**Explanation**

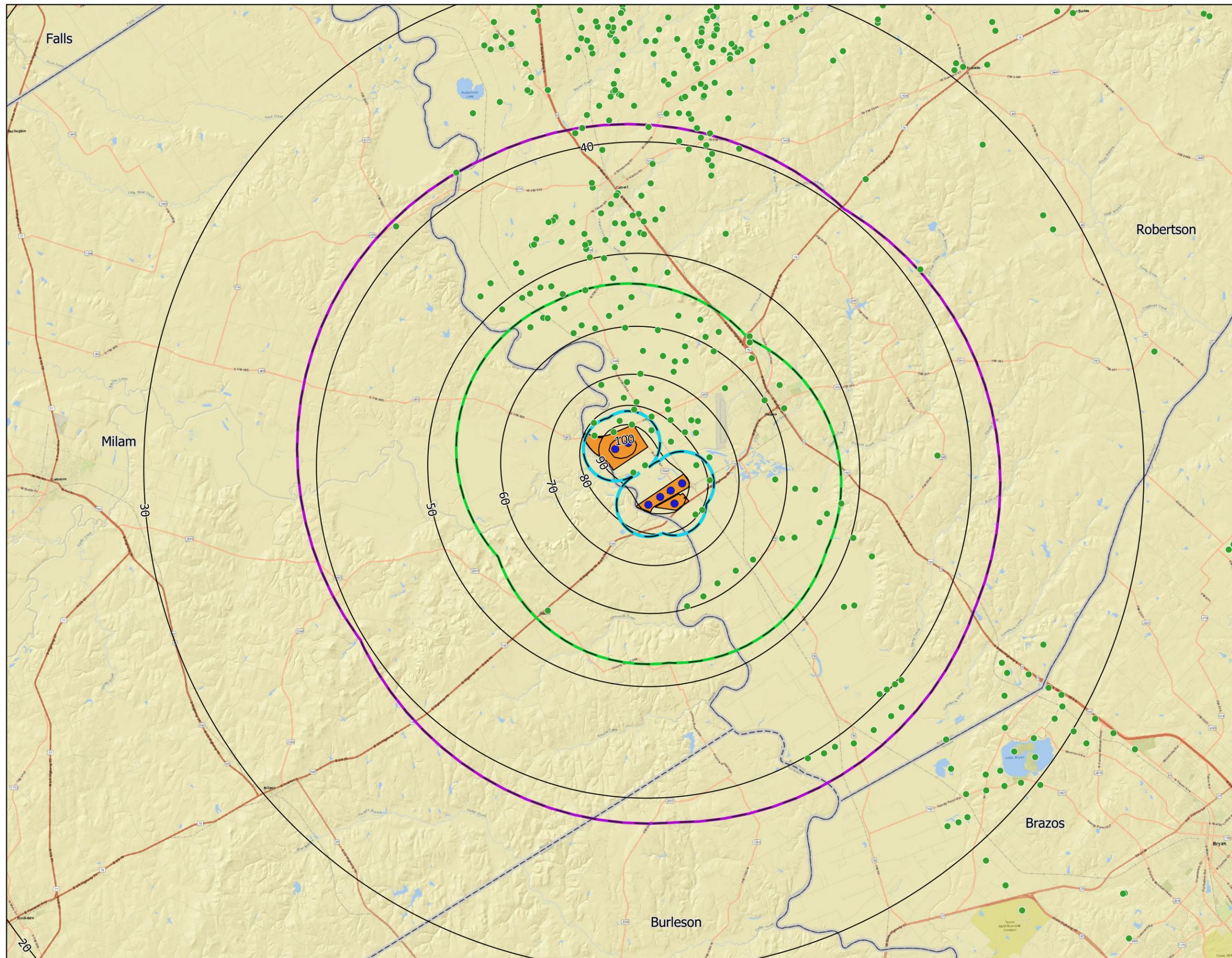
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- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

20-Year GAM  
Drawdown Contours





**Explanation**

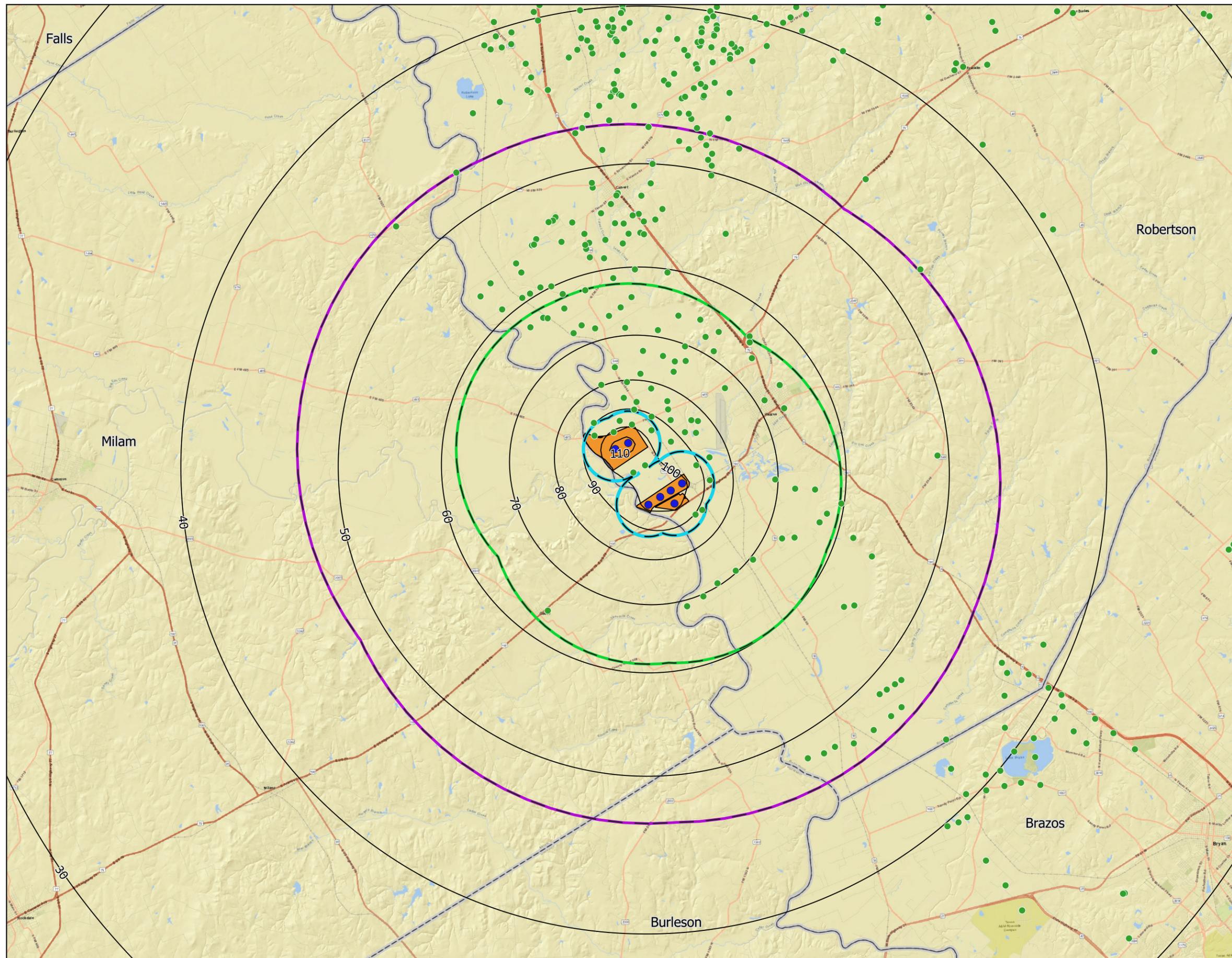
- BVGCD Registered or Permitted Simsboro Well
- Cula d'Brazos Permitted Well Location
- 1 Mile Radius from Well Location
- 5 Mile Radius from Well Location
- 10 Mile Radius from Well Location
- 1-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

1-Year Analytical Drawdown Contours





**Explanation**

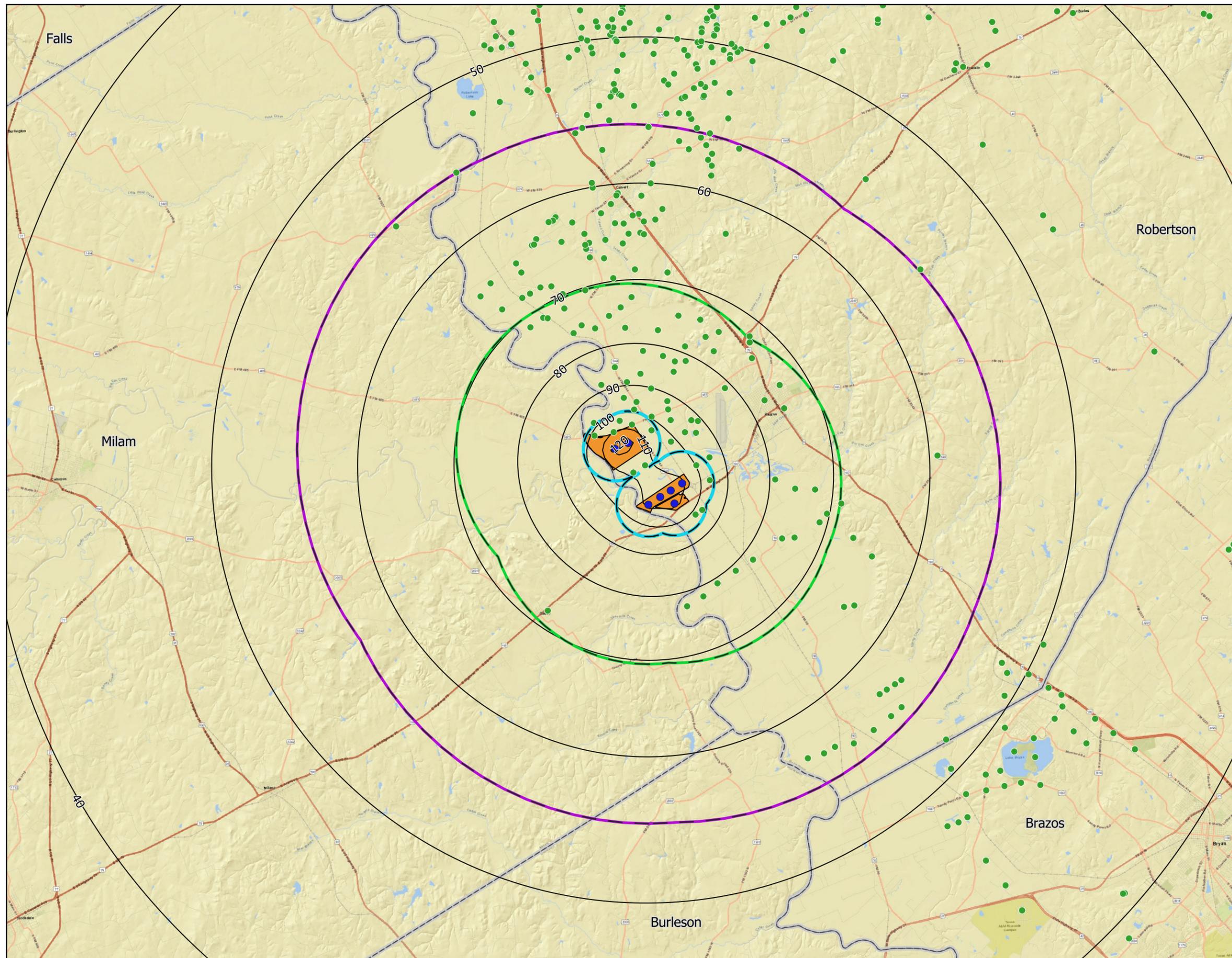
- BVGCD Registered or Permitted Simsboro Well
- Cula d'Brazos Permitted Well Location
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- 10 Mile Radius from Well Location
- 10-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

10-Year Analytical Drawdown Contours





**Explanation**

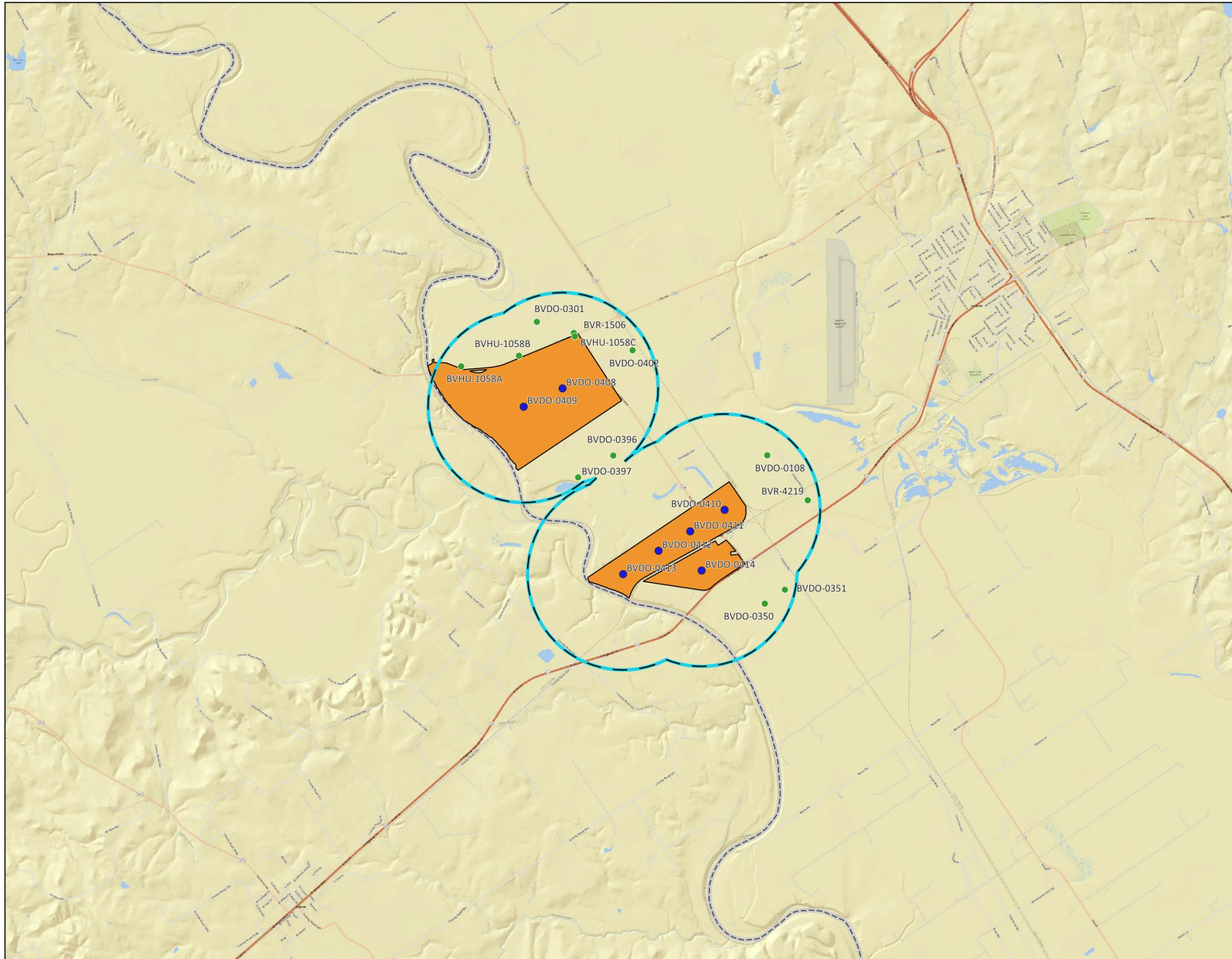
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- Cula d'Brazos Permitted Well Location
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- 10 Mile Radius from Well Location
- 20-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

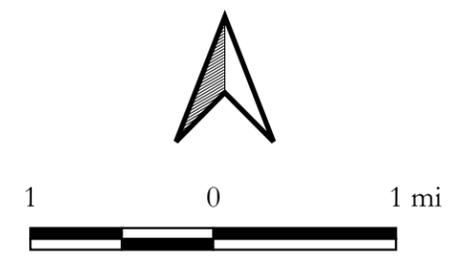
20-Year Analytical Drawdown Contours





**Explanation**

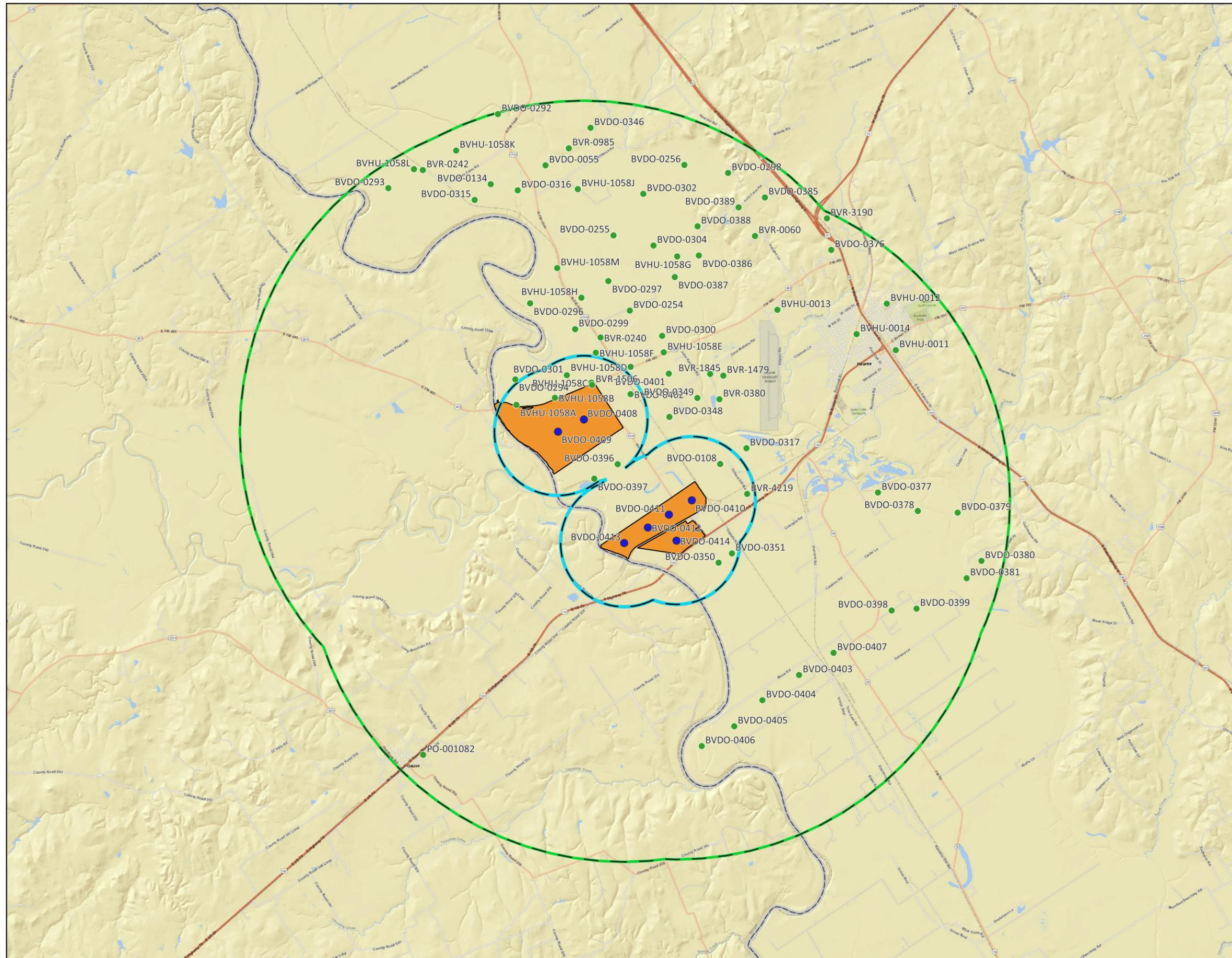
- Cula d'Brazos Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Location
- Cula d'Brazos Property Boundary
- ▭ Counties



**Cula d'Brazos, LLC.**

BVGCD Registered and Permitted Wells within 1 Mile





**Explanation**

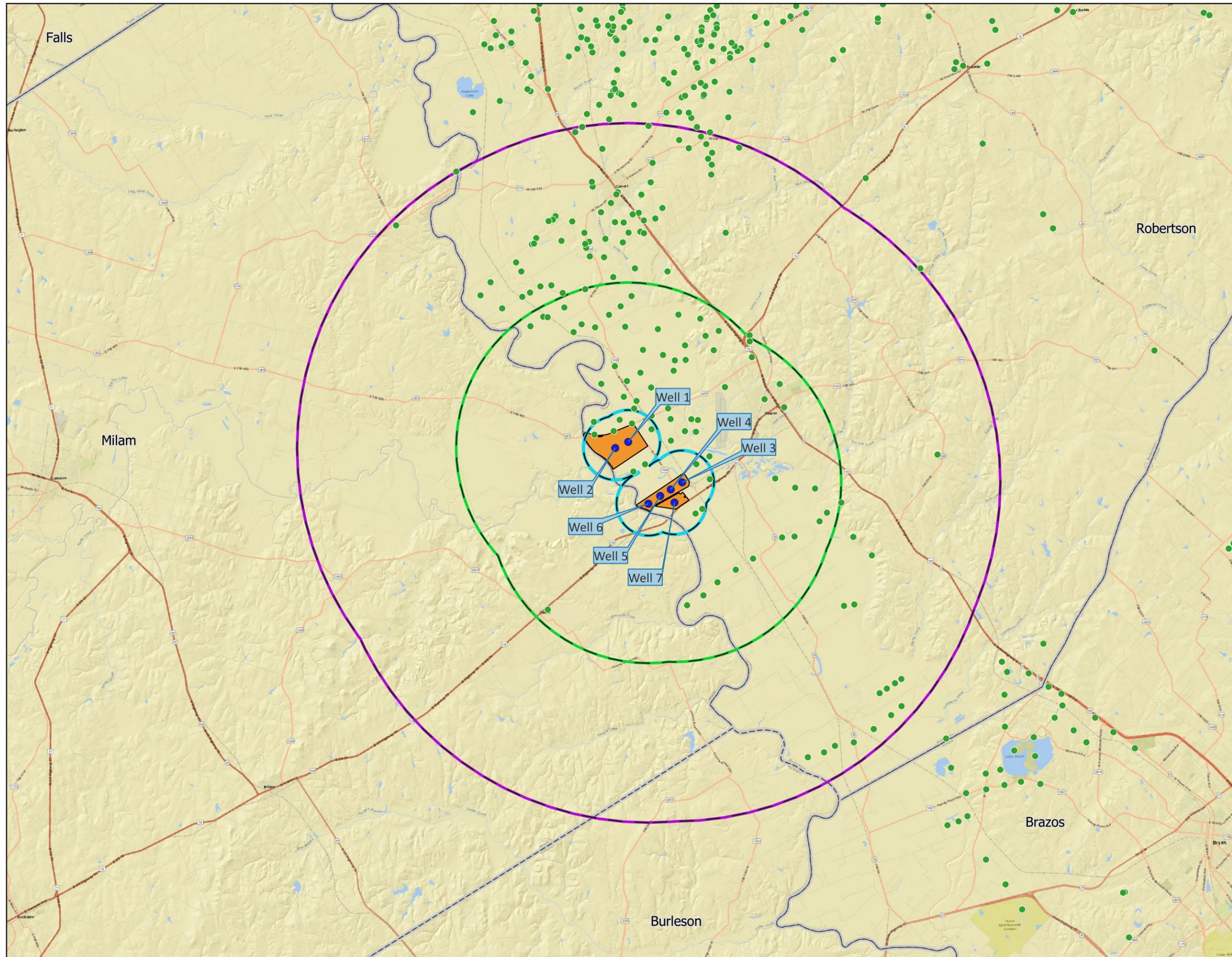
- Cula d'Brazos Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Location
- 5 Mile Radius from Well Location
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

BVGCD Registered and Permitted Wells within 5 Miles





**Explanation**

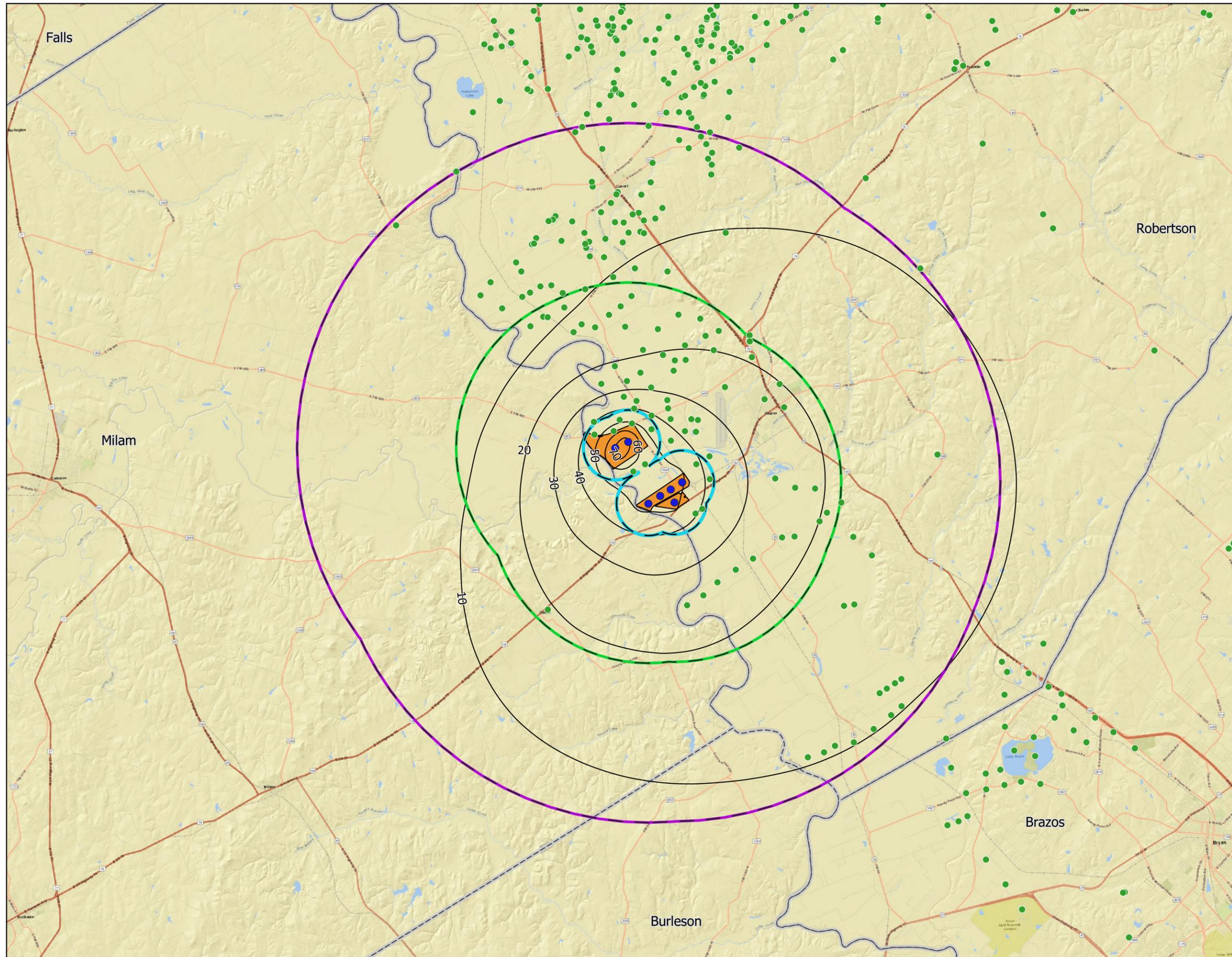
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- 10 Mile Radius from Well Location
- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

**Location Map**





**Explanation**

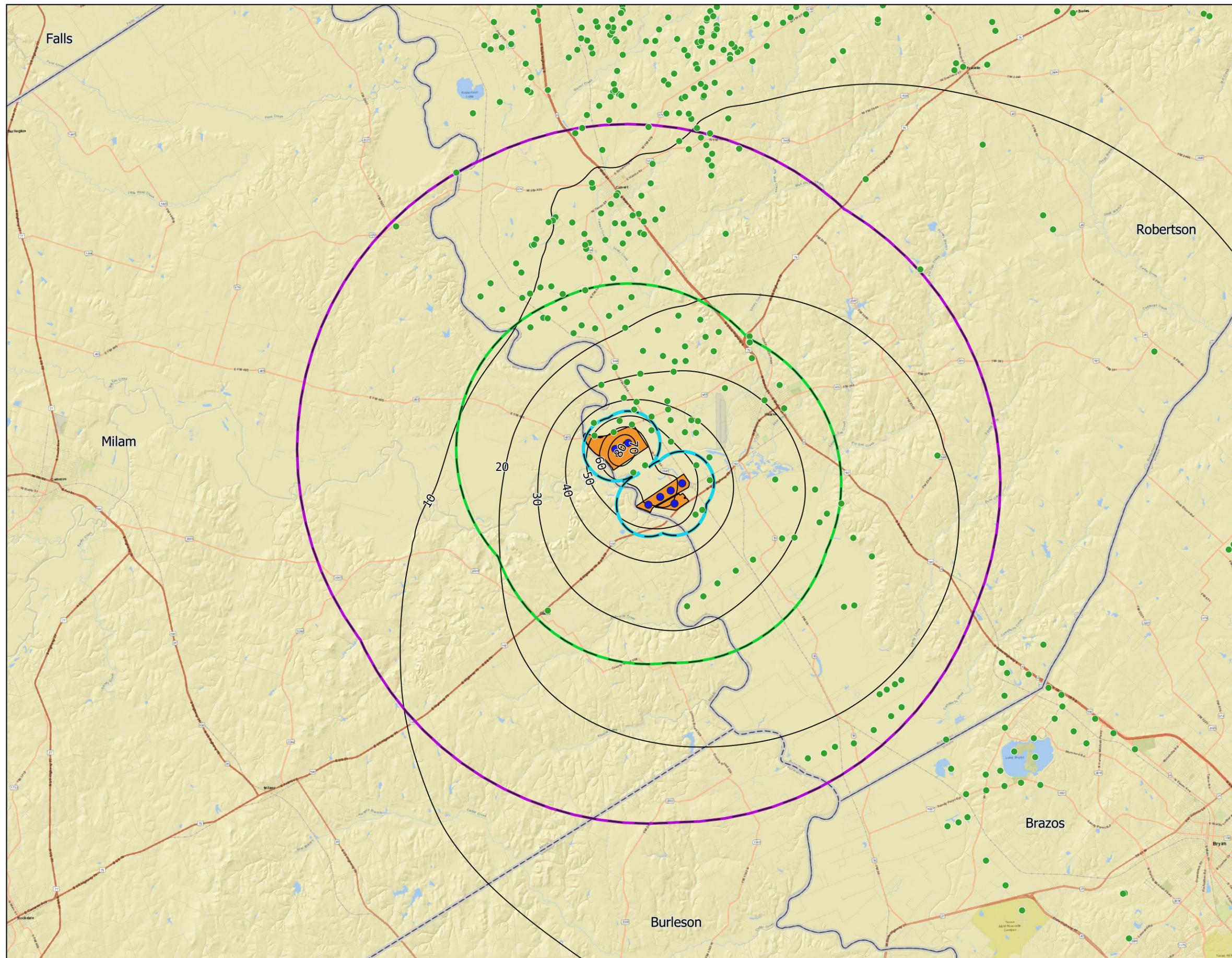
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- Counties



**Cula d'Brazos, LLC.**

1-Year GAM  
Drawdown Contours





**Explanation**

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- Cula d'Brazos Permitted Well Location
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- Cula d'Brazos Property Boundary
- Counties



**Cula d'Brazos, LLC.**

10-Year GAM  
Drawdown Contours



Table 1. Simulated Drawdown at Registered and Permitted Simsboro Wells Within a 1-Mile Radius

Owner	Registration or Permit Number	Latitude	Longitude	Well Depth	Aquifer	Casing Diameter (in)	1 Year Analytical Drawdown, ft.	10 Year Analytical Drawdown, ft.	20 Year Analytical Drawdown, ft.	1 Year GAM Drawdown, ft.	10 Year GAM Drawdown, ft.	20 Year GAM Drawdown, ft.
Cula d'Brazos, LLC	BVDO-0408	30.862192	-96.671514		Simsboro		112	121	129	72	78	83
Cula d'Brazos, LLC	BVDO-0410	30.842994	-96.643706		Simsboro		95	104	112	50	58	63
UW Brazos Valley Farm, LLC	BVDO-0301	30.872396	-96.675639		Simsboro		87	95	103	47	53	58
UW Brazos Valley Farm, LLC	BVHU-1058B	30.867349	-96.678991	1,090	Simsboro	16	94	102	103	56	62	67
UW Brazos Valley Farm, LLC	BVHU-1058A	30.866028	-96.689233	1,095	Simsboro	16	86	94	111	46	52	56
UW Brazos Valley Farm, LLC	BVHU-1058C	30.870527	-96.669211	1,100	Simsboro	16	91	100	108	51	57	62
Cula d'Brazos, LLC	BVDO-0412	30.837139	-96.655553		Simsboro		99	107	115	55	62	68
Cula d'Brazos, LLC	BVDO-0413	30.833783	-96.661933		Simsboro		97	105	114	53	60	65
Cula d'Brazos, LLC	BVDO-0414	30.833933	-96.648103		Simsboro		98	106	114	52	60	65
Cula d'Brazos, LLC	BVDO-0409	30.859611	-96.678461		Simsboro		104	113	121	72	78	83
Cula d'Brazos, LLC	BVDO-0411	30.839914	-96.649878		Simsboro		99	108	116	55	62	68
Cula d'Brazos, LLC	BVR-1506	30.870004	-96.669059	1,250	Simsboro	2	91	100	108	53	59	65
Skiles, Clifford III	BVDO-0108	30.851042	-96.635889	1,242	Simsboro	16	83	92	100	43	50	55
L. Wiese Moore, LLC	BVDO-0402	30.867614	-96.658967		Simsboro		87	95	104	46	53	58
Cangemi, Sammy	BVR-4219	30.844030	-96.629023	1,142	Simsboro	4	79	88	96	38	46	51
Corpora Farms	BVDO-0350	30.828601	-96.637179		Simsboro		80	89	97	41	48	54
Corpora Farms	BVDO-0351	30.830612	-96.633565		Simsboro		80	88	97	39	47	53
Fazzino Investments LP	BVDO-0396	30.851775	-96.662976		Simsboro		95	103	112	55	62	68
Fazzino Investments LP	BVDO-0397	30.848652	-96.669293		Simsboro		94	102	111	57	64	69

Table 2. Simulated Drawdown at Registered and Permitted Simsboro Wells Within a 5-Mile Radius

Owner	Registration or Permit Number	Latitude	Longitude	Well Depth	Aquifer	Casing Diameter (in)	1 Year Analytical Drawdown, ft.	10 Year Analytical Drawdown, ft.	20 Year Analytical Drawdown, ft.	1 Year GAM Drawdown, ft.	10 Year GAM Drawdown, ft.	20 Year GAM Drawdown, ft.
-	PO-001082	30.787104	-96.716877	992	Simsboro		56	64	73	19	25	30
Cula d'Brazos, LLC	BVDO-0408	30.862192	-96.671514		Simsboro		112	121	129	72	78	83
Cula d'Brazos, LLC	BVDO-0410	30.842994	-96.643706		Simsboro		95	104	112	50	58	63
UW Brazos Valley Farm, LLC	BVDO-0292	30.932321	-96.691592		Simsboro		54	62	71	10	14	18
UW Brazos Valley Farm, LLC	BVDO-0297	30.893501	-96.663845		Simsboro		70	78	87	24	30	35
UW Brazos Valley Farm, LLC	BVDO-0299	30.882803	-96.673047		Simsboro		77	85	94	33	38	43
UW Brazos Valley Farm, LLC	BVDO-0301	30.872396	-96.675639		Simsboro		87	95	103	47	53	58
UW Brazos Valley Farm, LLC	BVDO-0298	30.917196	-96.631244		Simsboro		57	66	74	16	22	27
UW Brazos Valley Farm, LLC	BVDO-0300	30.880632	-96.650098		Simsboro		74	83	91	32	38	44
UW Brazos Valley Farm, LLC	BVDO-0302	30.913084	-96.653847		Simsboro		60	69	77	17	22	27
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	83	91	100	39	45	51
UW Brazos Valley Farm, LLC	BVDO-0304	30.901250	-96.651604		Simsboro		66	74	83	20	26	32
UW Brazos Valley Farm, LLC	BVDO-0254	30.886626	-96.658433	1,205	Simsboro	18	74	82	91	29	35	41
UW Brazos Valley Farm, LLC	BVDO-0255	30.903856	-96.662094	1,240	Simsboro	18	65	73	82	19	25	30
UW Brazos Valley Farm, LLC	BVDO-0256	30.919348	-96.642734	1,225	Simsboro	18	57	66	74	15	21	26
UW Brazos Valley Farm, LLC	BVDO-0293	30.916287	-96.721219		Simsboro		55	63	72	8	12	15
UW Brazos Valley Farm, LLC	BVDO-0294	30.871826	-96.689291		Simsboro		81	89	98	41	46	51
UW Brazos Valley Farm, LLC	BVDO-0296	30.889026	-96.684725		Simsboro		71	79	88	25	30	35
UW Brazos Valley Farm, LLC	BVHU-1058B	30.867349	-96.678991	1,090	Simsboro	16	94	102	111	56	62	67
UW Brazos Valley Farm, LLC	BVHU-1058D	30.873824	-96.658706	1,131	Simsboro	16	84	93	101	41	47	53
UW Brazos Valley Farm, LLC	BVHU-1058J	30.914647	-96.671122	875	Simsboro	16	60	69	77	15	20	25
UW Brazos Valley Farm, LLC	BVHU-1058L	30.920417	-96.714283	691	Simsboro	16	54	63	71	8	12	16
UW Brazos Valley Farm, LLC	BVHU-1058A	30.866028	-96.689233	1,095	Simsboro	16	86	94	103	46	52	56
UW Brazos Valley Farm, LLC	BVHU-1058C	30.870527	-96.669211	1,100	Simsboro	16	91	100	108	51	57	62
UW Brazos Valley Farm, LLC	BVHU-1058K	30.924333	-96.702966	720	Simsboro	16	55	63	72	9	13	17
UW Brazos Valley Farm, LLC	BVHU-1058E	30.876867	-96.649833	1,175	Simsboro	16	77	86	94	35	41	47
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	83	91	100	39	45	51
UW Brazos Valley Farm, LLC	BVHU-1058G	30.898588	-96.645434	964	Simsboro	16	65	74	82	22	28	33

UW Brazos Valley Farm, LLC	BVHU-1058H	30.889917	-96.671117	979	Simsboro	16	72	81	89	26	32	37
UW Brazos Valley Farm, LLC	BVHU-1058M	30.896850	-96.677267	930	Simsboro	16	68	76	85	21	26	31
Cula d'Brazos, LLC	BVDO-0412	30.837139	-96.655553		Simsboro		99	107	115	55	62	68
Cula d'Brazos, LLC	BVDO-0413	30.833783	-96.661933		Simsboro		97	105	114	53	60	65
Cula d'Brazos, LLC	BVDO-0414	30.833933	-96.648103		Simsboro		98	106	114	52	60	65
Cula d'Brazos, LLC	BVDO-0409	30.859611	-96.678461		Simsboro		104	113	121	72	78	83
Cula d'Brazos, LLC	BVDO-0411	30.839914	-96.649878		Simsboro		99	108	116	55	62	68
Cula d'Brazos, LLC	BVR-1506	30.870004	-96.669059	1,250	Simsboro	2	91	100	108	53	59	65
Bishop, Robert	BVR-0060	30.902642	-96.624684	1,193	Simsboro	4	60	69	77	20	26	32
Ryan, Sandra & Melvin	BVR-0380	30.865784	-96.635523	1,100	Simsboro	4	78	86	95	36	43	49
UW Brazos Valley Farm, LLC	BVR-0240	30.880729	-96.666403	1,065	Simsboro	4	80	88	97	36	42	47
UW Brazos Valley Farm, LLC	BVR-0242	30.920143	-96.711938	610	Simsboro	4	56	64	72	9	12	16
City Of Hearne	BVHU-0011	30.875602	-96.588473	1,433	Simsboro	14	58	66	74	22	29	34
City Of Hearne	BVDO-0376	30.898904	-96.604637		Simsboro		57	66	74	19	26	31
City Of Hearne	BVHU-0012	30.886238	-96.590434	1,430	Simsboro	12	57	65	74	20	27	33
City Of Hearne	BVHU-0013	30.885689	-96.619408	1,441	Simsboro	10	65	73	82	25	31	37
City Of Hearne	BVHU-0014	30.879554	-96.598692	1,450	Simsboro	12	60	69	77	23	30	35
Skiles, Clifford III	BVDO-0108	30.851042	-96.635889	1,242	Simsboro	16	83	92	100	43	50	55
Skiles, Clifford III	BVDO-0317	30.854431	-96.628822		Simsboro		77	86	94	36	44	49
Sandra Ryan & Bernadette Sloat	BVR-0985	30.924003	-96.673151	735	Simsboro	4	57	65	74	13	18	22
Sandra Ryan & Bernadette Sloat	BVDO-0055	30.920309	-96.679458	840	Simsboro	16	58	66	75	13	18	22
Zeig, Joseph & Marian	BVR-1479	30.871119	-96.634288	1,080	Simsboro	4	75	83	92	33	40	46
Burnside Investments, Inc.	BVDO-0403	30.802439	-96.616914		Simsboro		62	71	79	25	33	39
Burnside Investments, Inc.	BVDO-0404	30.796989	-96.626811		Simsboro		62	70	79	26	33	40
Burnside Investments, Inc.	BVDO-0405	30.791261	-96.634472		Simsboro		62	70	79	25	33	39
Burnside Investments, Inc.	BVDO-0406	30.787008	-96.643233		Simsboro		60	68	77	25	32	38
Burnside Investments, Inc.	BVDO-0407	30.807222	-96.607594		Simsboro		61	70	78	25	33	39
Brien, James C.	BVDO-0316	30.914826	-96.687016		Simsboro	18	60	68	76	13	18	22
Brien, James C.	BVDO-0315	30.912966	-96.698488		Simsboro	18	58	67	75	12	17	20
Brien, James C.	BVDO-0134	30.916421	-96.694104	778	Simsboro	16	58	66	74	12	16	20
L. Wiese Moore, LLC	BVDO-0401	30.871983	-96.648675		Simsboro		79	88	96	38	45	50
L. Wiese Moore, LLC	BVDO-0402	30.867614	-96.658967		Simsboro		87	95	104	46	53	58
Cangemi, Sammy	BVR-4219	30.844030	-96.629023	1,142	Simsboro	4	79	88	96	38	46	51
Ely Family Partnership	BVDO-0377	30.843353	-96.594456		Simsboro		62	70	79	26	33	39
Ely Family Partnership	BVDO-0378	30.838847	-96.584083		Simsboro		59	67	76	24	31	37
Ely Family Partnership	BVDO-0379	30.838158	-96.573567		Simsboro		56	64	72	21	29	35
Ely Family Partnership	BVDO-0381	30.823175	-96.571783		Simsboro		54	62	71	20	28	34
Ely Family Partnership	BVDO-0380	30.827000	-96.567717		Simsboro		53	62	70	19	27	34
Wallace, Virginia	BVR-1845	30.871602	-96.637746	1,100	Simsboro	4	75	83	92	34	41	47
Corpora Farms	BVDO-0348	30.862142	-96.648896		Simsboro		85	93	102	44	51	56
Corpora Farms	BVDO-0350	30.828601	-96.637179		Simsboro		80	89	97	41	48	54
Corpora Farms	BVDO-0349	30.866236	-96.641341		Simsboro		79	88	96	38	45	50
Corpora Farms	BVDO-0351	30.830612	-96.633565		Simsboro		80	88	97	39	47	53
Swaner, Ronald & Elizabeth	BVR-3190	30.906117	-96.605510	1,225	Simsboro	4	56	65	73	18	24	30
Corpora Farms	BVDO-0346	30.928505	-96.667226	840	Simsboro		56	64	73	12	17	22
RH2O LLC	BVDO-0389	30.909286	-96.628772	627	Simsboro	16	59	68	76	18	24	30

RH2O LLC	BVDO-0385	30.911344	-96.621725	515	Simsboro	4	57	66	74	18	24	29
RH2O LLC	BVDO-0386	30.898639	-96.639708	560	Simsboro	4	64	72	81	22	28	34
RH2O LLC	BVDO-0387	30.893919	-96.646250	1,080	Simsboro	4	68	77	85	24	30	36
RH2O LLC	BVDO-0388	30.905286	-96.639786	530	Simsboro	4	61	70	78	19	25	31
Fazzino Investments LP	BVDO-0396	30.851775	-96.662976		Simsboro		95	103	112	55	62	68
Fazzino Investments LP	BVDO-0398	30.816412	-96.591883		Simsboro		58	66	75	23	31	37
Fazzino Investments LP	BVDO-0397	30.848652	-96.669293		Simsboro		94	102	111	57	64	69
Fazzino Investments LP	BVDO-0399	30.816641	-96.585293		Simsboro		57	65	74	22	30	36

Table 3. Simulated Drawdown at Registered and Permitted Simsboro Wells Within a 10-Mile Radius

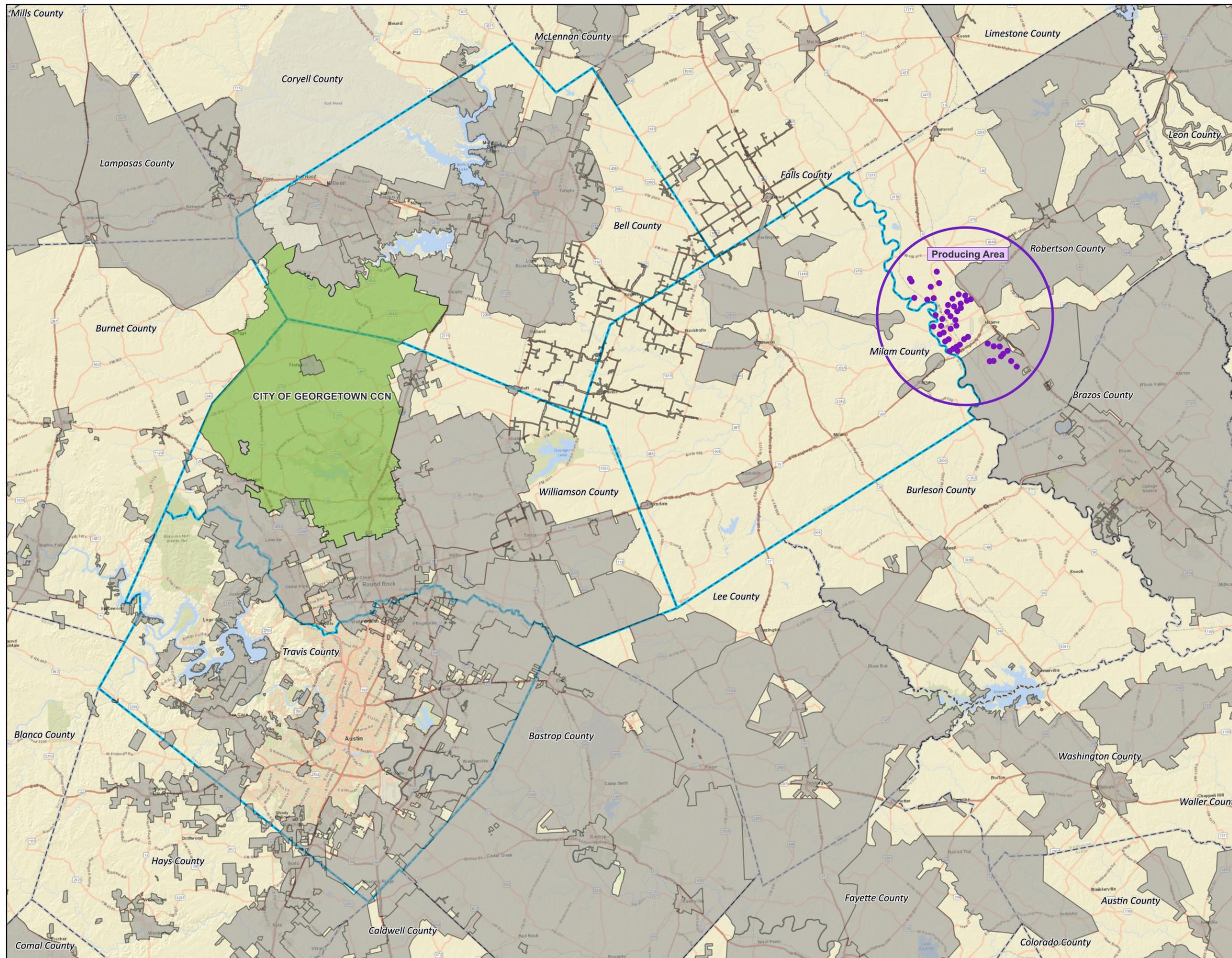
Owner	Registration or Permit Number	Latitude	Longitude	Well Depth	Aquifer	Casing Diameter (in)	1 Year Analytical Drawdown, ft.	10 Year Analytical Drawdown, ft.	20 Year Analytical Drawdown, ft.	1 Year GAM Drawdown, ft.	10 Year GAM Drawdown, ft.	20 Year GAM Drawdown, ft.
-	PO-000236	30.964166	-96.790555	450	Simsboro	4	38	47	55	0	1	2
-	PO-001082	30.787104	-96.716877	992	Simsboro		56	64	73	19	25	30
Calvert Country Club	BVR-1699	30.966001	-96.706046	420	Simsboro	4	45	53	62	6	10	14
Calvert Country Club	BVOP-0051	30.964488	-96.707485	440	Simsboro	4	45	54	62	6	10	13
Cula d'Brazos, LLC	BVDO-0408	30.862192	-96.671514		Simsboro		112	121	129	72	78	83
Cula d'Brazos, LLC	BVDO-0410	30.842994	-96.643706		Simsboro		95	104	112	50	58	63
UW Brazos Valley Farm, LLC	BVDO-0292	30.932321	-96.691592		Simsboro		54	62	71	10	14	18
UW Brazos Valley Farm, LLC	BVDO-0297	30.893501	-96.663845		Simsboro		70	78	87	24	30	35
UW Brazos Valley Farm, LLC	BVDO-0299	30.882803	-96.673047		Simsboro		77	85	94	33	38	43
UW Brazos Valley Farm, LLC	BVDO-0301	30.872396	-96.675639		Simsboro		87	95	103	47	53	58
UW Brazos Valley Farm, LLC	BVDO-0298	30.917196	-96.631244		Simsboro		57	66	74	16	22	27
UW Brazos Valley Farm, LLC	BVDO-0300	30.880632	-96.650098		Simsboro		74	83	91	32	38	44
UW Brazos Valley Farm, LLC	BVDO-0302	30.913084	-96.653847		Simsboro		60	69	77	17	22	27
UW Brazos Valley Farm, LLC	BVDO-0303	30.954950	-96.680068		Simsboro		48	57	65	8	13	17
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	83	91	100	39	45	51
UW Brazos Valley Farm, LLC	BVDO-0304	30.901250	-96.651604		Simsboro		66	74	83	20	26	32
UW Brazos Valley Farm, LLC	BVDO-0254	30.886626	-96.658433	1,205	Simsboro	18	74	82	91	29	35	41
Perez, John (Landco Investments)	BVR-0461	30.957669	-96.661438	475	Simsboro	4	48	56	64	9	14	18
UW Brazos Valley Farm, LLC	BVDO-0255	30.903856	-96.662094	1,240	Simsboro	18	65	73	82	19	25	30
UW Brazos Valley Farm, LLC	BVDO-0256	30.919348	-96.642734	1,225	Simsboro	18	57	66	74	15	21	26
UW Brazos Valley Farm, LLC	BVDO-0293	30.916287	-96.721219		Simsboro		55	63	72	8	12	15
UW Brazos Valley Farm, LLC	BVDO-0294	30.871826	-96.689291		Simsboro		81	89	98	41	46	51
UW Brazos Valley Farm, LLC	BVDO-0295	30.937420	-96.676560		Simsboro		53	61	69	10	15	19
UW Brazos Valley Farm, LLC	BVDO-0296	30.889026	-96.684725		Simsboro		71	79	88	25	30	35
UW Brazos Valley Farm, LLC	BVHU-1058B	30.867349	-96.678991	1,090	Simsboro	16	94	102	111	56	62	67
UW Brazos Valley Farm, LLC	BVHU-1058D	30.873824	-96.658706	1,131	Simsboro	16	84	93	101	41	47	53
UW Brazos Valley Farm, LLC	BVHU-1058J	30.914647	-96.671122	875	Simsboro	16	60	69	77	15	20	25
UW Brazos Valley Farm, LLC	BVHU-1058L	30.920417	-96.714283	691	Simsboro	16	54	63	71	8	12	16
UW Brazos Valley Farm, LLC	BVHU-1058A	30.866028	-96.689233	1,095	Simsboro	16	86	94	103	46	52	56

UW Brazos Valley Farm, LLC	BVHU-1058C	30.870527	-96.669211	1,100	Simsboro	16	91	100	108	51	57	62
UW Brazos Valley Farm, LLC	BVHU-1058K	30.924333	-96.702966	720	Simsboro	16	55	63	72	9	13	17
UW Brazos Valley Farm, LLC	BVHU-1058E	30.876867	-96.649833	1,175	Simsboro	16	77	86	94	35	41	47
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	83	91	100	39	45	51
UW Brazos Valley Farm, LLC	BVHU-1058G	30.898588	-96.645434	964	Simsboro	16	65	74	82	22	28	33
UW Brazos Valley Farm, LLC	BVHU-1058H	30.889917	-96.671117	979	Simsboro	16	72	81	89	26	32	37
UW Brazos Valley Farm, LLC	BVHU-1058M	30.896850	-96.677267	930	Simsboro	16	68	76	85	21	26	31
Maria L. Reistino Estate	BVDO-0092	30.924837	-96.735858	530	Simsboro	16	50	58	67	4	8	10
Cula d'Brazos, LLC	BVDO-0412	30.837139	-96.655553		Simsboro		99	107	115	55	62	68
Cula d'Brazos, LLC	BVDO-0413	30.833783	-96.661933		Simsboro		97	105	114	53	60	65
Cula d'Brazos, LLC	BVDO-0414	30.833933	-96.648103		Simsboro		98	106	114	52	60	65
Cula d'Brazos, LLC	BVDO-0409	30.859611	-96.678461		Simsboro		104	113	121	72	78	83
Cula d'Brazos, LLC	BVDO-0411	30.839914	-96.649878		Simsboro		99	108	116	55	62	68
Cula d'Brazos, LLC	BVR-1506	30.870004	-96.669059	1,250	Simsboro	2	91	100	108	53	59	65
Closs, Barry	BVR-0900	30.974503	-96.660242	590	Simsboro	4	44	52	61	8	13	17
Bishop, Robert	BVR-0060	30.902642	-96.624684	1,193	Simsboro	4	60	69	77	20	26	32
Ryan, Sandra & Melvin	BVR-0380	30.865784	-96.635523	1,100	Simsboro	4	78	86	95	36	43	49
Wellborn Special Utility District	BVDO-0014	30.851710	-96.508264	2,020	Simsboro	16	43	51	59	12	20	27
Wenger, Joshua R. & Megan	BVR-1396	30.966263	-96.661960	660	Simsboro	4	46	55	63	8	13	17
Epps, Frank N.	BVOP-0047	30.963447	-96.653288	660	Simsboro	4	46	55	63	9	14	18
UW Brazos Valley Farm, LLC	BVR-0240	30.880729	-96.666403	1,065	Simsboro	4	80	88	97	36	42	47
UW Brazos Valley Farm, LLC	BVR-0242	30.920143	-96.711938	610	Simsboro	4	56	64	72	9	12	16
Fazzino, Lee Jr.	BVR-1283	30.936893	-96.741546	460	Simsboro	4	48	56	64	2	5	7
City of Calvert	BVDO-0320	30.971170	-96.676495		Simsboro	12	45	53	61	8	12	16
City of Calvert	BVOP-0011	30.975810	-96.672639	738	Simsboro		44	52	61	7	12	16
City of Calvert	BVOP-0010	30.976010	-96.672707	683	Simsboro	16	44	52	61	7	12	16
City of Calvert	BVOP-0012	30.975021	-96.673458	661	Simsboro	16	44	52	61	7	12	16
Fazzino, Lee Jr.	BVHU-1025	30.931082	-96.747085	580	Simsboro	16	48	57	65	2	5	7
Fazzino, Lee Jr.	BVR-3045	30.954697	-96.703322	404	Simsboro	4	47	55	64	7	11	14
Siegert, Rick & Sheri	BVR-3744	30.955897	-96.616290	880	Simsboro	4	46	55	63	10	16	21
Deason, Jack	BVR-0023	30.953863	-96.688686	510	Simsboro	4	49	57	65	8	12	16
Knox, James	BVR-0941	30.998770	-96.639289	527	Simsboro	4	40	48	56	5	10	14
City Of Hearne	BVHU-0011	30.875602	-96.588473	1,433	Simsboro	14	58	66	74	22	29	34
City Of Hearne	BVDO-0376	30.898904	-96.604637		Simsboro		57	66	74	19	26	31
City Of Hearne	BVHU-0012	30.886238	-96.590434	1,430	Simsboro	12	57	65	74	20	27	33
City Of Hearne	BVHU-0013	30.885689	-96.619408	1,441	Simsboro	10	65	73	82	25	31	37
City Of Hearne	BVHU-0014	30.879554	-96.598692	1,450	Simsboro	12	60	69	77	23	30	35
Skiles, Clifford III	BVDO-0108	30.851042	-96.635889	1,242	Simsboro	16	83	92	100	43	50	55
Holmgreen, Pat & Renee	BVR-1861	30.953556	-96.719008	420	Simsboro	4	47	55	63	4	7	10
Skiles, Clifford III	BVDO-0317	30.854431	-96.628822		Simsboro		77	86	94	36	44	49
Sandra Ryan & Bernadette Sloat	BVR-0985	30.924003	-96.673151	735	Simsboro	4	57	65	74	13	18	22
Sandra Ryan & Bernadette Sloat	BVDO-0090	30.934280	-96.715252	656	Simsboro	16	51	59	68	7	10	14
Sandra Ryan & Bernadette Sloat	BVDO-0091	30.929786	-96.725021	565	Simsboro	16	51	59	68	6	9	13

Sandra Ryan & Bernadette Sloat	BVDO-0055	30.920309	-96.679458	840	Simsboro	16	58	66	75	13	18	22
Lopez, Claude & Karen	BVR-3086	30.968125	-96.649345	627	Simsboro	4	45	54	62	8	14	18
Flemings, Nancy	BVR-1894	30.957995	-96.691058	515	Simsboro	4	47	55	64	7	12	16
Bland, Andy	BVR-1304	30.946604	-96.681069	560	Simsboro	4	51	59	67	9	14	17
Zeig, Joseph & Marian	BVR-1479	30.871119	-96.634288	1,080	Simsboro	4	75	83	92	33	40	46
Denena, Leon A. Jr	BVR-1574	30.947221	-96.688598	530	Simsboro	4	49	58	66	8	13	16
Burnside Investments, Inc.	BVDO-0403	30.802439	-96.616914		Simsboro		62	71	79	25	33	39
Burnside Investments, Inc.	BVDO-0404	30.796989	-96.626811		Simsboro		62	70	79	26	33	40
Burnside Investments, Inc.	BVDO-0405	30.791261	-96.634472		Simsboro		62	70	79	25	33	39
Burnside Investments, Inc.	BVDO-0406	30.787008	-96.643233		Simsboro		60	68	77	25	32	38
Burnside Investments, Inc.	BVDO-0407	30.807222	-96.607594		Simsboro		61	70	78	25	33	39
Triple C Ranch	BVR-0846	30.962101	-96.670091	590	Simsboro	4	47	55	64	8	13	17
Brien, James C.	BVDO-0316	30.914826	-96.687016		Simsboro	18	60	68	76	13	18	22
Brien, James C.	BVDO-0315	30.912966	-96.698488		Simsboro	18	58	67	75	12	17	20
Brien, James C.	BVDO-0134	30.916421	-96.694104	778	Simsboro	16	58	66	74	12	16	20
L. Wiese Moore, LLC	BVDO-0401	30.871983	-96.648675		Simsboro		79	88	96	38	45	50
L. Wiese Moore, LLC	BVDO-0402	30.867614	-96.658967		Simsboro		87	95	104	46	53	58
Kuiper, Chris & Linda	BVR-3950	30.992505	-96.622070	600	Simsboro	4	40	49	57	7	12	16
Guild, Joan R.	BVR-2674	30.994412	-96.607663	556	Simsboro	4	39	48	56	7	12	16
Garcia, Maximiliano	BVR-4061	30.951138	-96.690366	450	Simsboro	4	49	57	65	8	12	16
Hill, Betty E.	BVR-3005	31.003942	-96.694158	407	Simsboro	6	39	47	56	0	3	6
Hill, Betty E.	BVR-3006	31.006183	-96.690410	594	Simsboro	4	39	47	55	0	3	6
Cangemi, Sammy	BVR-4219	30.844030	-96.629023	1,142	Simsboro	4	79	88	96	38	46	51
Eliot Family Limited Partnership	BVR-3047	30.956312	-96.716631	485	Simsboro	4	46	55	63	5	8	11
Calvert Livestock, Inc.	BVR-3048	30.965672	-96.665187	667	Simsboro	4	46	55	63	8	13	17
Mears, Jeffrey L.	BVR-3049	30.957407	-96.667688	620	Simsboro	4	48	56	64	9	14	18
Zeig, Larry J.	BVR-3187	30.908888	-96.605462	1,270	Simsboro	4	56	64	73	17	24	29
Rychlik, Randall D.	BVR-0118	30.995918	-96.680121	365	Simsboro	4	40	49	57	2	6	9
DTB Investments, LP	BVDO-0373	30.727822	-96.546914		Simsboro		39	47	55	10	19	26
DTB Investments, LP	BVDO-0375	30.737800	-96.531799		Simsboro		39	47	55	10	19	26
DTB Investments, LP	BVDO-0372	30.722069	-96.557633		Simsboro		39	47	56	10	19	26
DTB Investments, LP	BVDO-0374	30.733881	-96.537453		Simsboro		39	47	55	10	19	26
DTB Investments, LP	BVDO-0369	30.715994	-96.582161		Simsboro		40	48	56	10	19	26
DTB Investments, LP	BVDO-0370	30.717994	-96.573525		Simsboro		40	48	56	10	19	26
DTB Investments, LP	bvdo-0371	30.720786	-96.567647		Simsboro		40	48	56	10	19	26
Ely Family Partnership	BVDO-0384	30.806858	-96.544747		Simsboro		47	55	64	15	23	30
Ely Family Partnership	BVDO-0377	30.843353	-96.594456		Simsboro		62	70	79	26	33	39
Ely Family Partnership	BVDO-0378	30.838847	-96.584083		Simsboro		59	67	76	24	31	37
Ely Family Partnership	BVDO-0379	30.838158	-96.573567		Simsboro		56	64	72	21	29	35
Ely Family Partnership	BVDO-0381	30.823175	-96.571783		Simsboro		54	62	71	20	28	34
Ely Family Partnership	BVDO-0383	30.815553	-96.554250		Simsboro		50	58	66	16	25	31
Ely Family Partnership	BVDO-0380	30.827000	-96.567717		Simsboro		53	62	70	19	27	34
Ely Family Partnership	BVDO-0382	30.831378	-96.559953		Simsboro		52	61	69	18	26	32
Hamilton, Kurt & Elsa	BVR-3668	30.989828	-96.624315	585	Simsboro	4	41	49	58	7	12	16
Wallace, Virginia	BVR-1845	30.871602	-96.637746	1,100	Simsboro	4	75	83	92	34	41	47
The Bamm Trust	BVR-1321	30.979994	-96.655092	550	Simsboro	4	43	52	60	7	13	17
Ottea, Monica M.	BVR-4363	30.953794	-96.717956		Simsboro	4	47	55	64	5	8	11
Ottea, Monica M.	BVR-4236	30.953857	-96.717906	477	Simsboro	4.5	47	55	64	5	8	11
Morrison, David & Connie	BVR-1329	30.982614	-96.622909	605	Simsboro	4	42	51	59	8	13	17
Grimes, Coylin & Diane	BVR-4297	30.956929	-96.659539	668	Simsboro	4	48	56	64	9	14	18
Amos, David	BVR-1773	30.962742	-96.659380	720	Simsboro	4	47	55	64	9	14	18

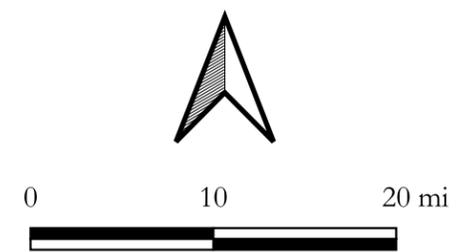
New Magnolia Baptist Church	BVR-3041	30.952959	-96.690806	461	Simsboro	4	49	57	65	8	12	16
Sabrsula, Jim	BVR-3053	31.000027	-96.627700	500	Simsboro	4	40	48	56	6	11	15
Pettit, Kenneth R. Sr.	BVR-4652	30.978920	-96.685880	425	Simsboro	4	43	51	60	7	11	15
Badgerjack Resource Holding, LP	BVDO-0334	31.005677	-96.655249		Simsboro		39	47	56	2	6	10
Corpora Farms	BVDO-0341	30.967123	-96.681905		Simsboro		46	54	63	7	12	16
Corpora Farms	BVDO-0348	30.862142	-96.648896		Simsboro		85	93	102	44	51	56
Corpora Farms	BVDO-0350	30.828601	-96.637179		Simsboro		80	89	97	41	48	54
Corpora Farms	BVDO-0391	30.750161	-96.531417		Simsboro		40	48	57	11	20	27
Corpora Farms	BVDO-0342	30.930936	-96.703584		Simsboro		53	61	70	8	12	16
Corpora Farms	BVDO-0347	30.941075	-96.664942		Simsboro		52	60	69	11	16	20
Corpora Farms	BVDO-0349	30.866236	-96.641341		Simsboro		79	88	96	38	45	50
Corpora Farms	BVDO-0390	30.744050	-96.543139		Simsboro		40	49	57	11	20	27
Corpora Farms	BVDO-0392	30.746025	-96.539278		Simsboro	8	40	48	57	11	20	27
Corpora Farms	BVDO-0393	30.748333	-96.534861		Simsboro		40	48	56	11	20	27
Corpora Farms	BVDO-0351	30.830612	-96.633565		Simsboro		80	88	97	39	47	53
Corpora Farms	BVDO-0352	30.784337	-96.560379		Simsboro		47	56	64	15	24	30
Corpora Farms	BVDO-0353	30.784810	-96.554918		Simsboro		47	55	63	15	23	30
Corpora Farms	BVDO-0343	30.931603	-96.720836		Simsboro		51	59	68	6	10	13
Naranjo, Audencio	BVR-3104	30.962380	-96.674672	460	Simsboro	4	47	55	64	8	13	17
Swaner, Ronald & Elizabeth	BVR-3190	30.906117	-96.605510	1,225	Simsboro	4	56	65	73	18	24	30
Vacek, Charles Lori	BVR-4281	30.994940	-96.634338		Simsboro	4	40	49	57	6	11	16
Howard, Shirley J.	BVR-3044	30.953064	-96.670912	660	Simsboro	4	49	58	66	9	14	18
Corpora Farms	BVDO-0344	30.934607	-96.709457		Simsboro		51	60	68	7	11	15
Corpora Farms	BVDO-0345	30.939189	-96.647752		Simsboro		52	60	68	12	17	22
Corpora Farms	BVDO-0346	30.928505	-96.667226		Simsboro		56	64	73	12	17	22
Salcido, Justen	BVR-4651	30.987086	-96.622479	640	Simsboro	4	41	49	58	7	12	17
RH2O LLC	BVDO-0389	30.909286	-96.628772		Simsboro	16	59	68	76	18	24	30
RH2O LLC	BVDO-0385	30.911344	-96.621725		Simsboro		57	66	74	18	24	29
RH2O LLC	BVDO-0386	30.898639	-96.639708		Simsboro		64	72	81	22	28	34
RH2O LLC	BVDO-0387	30.893919	-96.646250		Simsboro		68	77	85	24	30	36
RH2O LLC	BVDO-0388	30.905286	-96.639786		Simsboro		61	70	78	19	25	31
Aggie Nooks, LLC	BVR-4137	30.963367	-96.697307	485	Simsboro	5	46	54	63	7	11	15
Powers, Linda	BVR-4282	30.996521	-96.625017		Simsboro	4	40	48	57	6	11	16
Hopkins, Jason & Rachel	BVR-4299	30.988807	-96.653770		Simsboro	4	42	50	58	7	12	16
Keyes, Barbara W.	BVR-4408	30.963877	-96.709797	440	Simsboro	4	45	54	62	6	10	13
Wills, Gwendolyn W.	BVR-4524	30.981080	-96.686232	390	Simsboro	4	43	51	60	7	11	15
Fazzino Investments LP	BVDO-0394	30.945554	-96.727687	-	Simsboro	-	47	56	64	4	6	9
Fazzino Investments LP	BVDO-0395	30.941356	-96.725083	-	Simsboro	-	48	57	65	5	8	11
Fazzino Investments LP	BVDO-0396	30.851775	-96.662976	-	Simsboro	-	95	103	112	55	62	68
Fazzino Investments LP	BVDO-0398	30.816412	-96.591883	-	Simsboro	-	58	66	75	23	31	37
Fazzino Investments LP	BVDO-0397	30.848652	-96.669293		Simsboro		94	102	111	57	64	69
Fazzino Investments LP	BVDO-0399	30.816641	-96.585293		Simsboro		57	65	74	22	30	36

**APPENDIX C**



**Explanation**

- Well Locations
- City of Georgetown CCN
- PUC CCN
- Counties of Interest
- Counties



**Producing and Receiving Areas and CCNS**

## Attachment D – Affidavit of Legal Rights

**AFFIDAVIT OF LEGAL RIGHT TO PRODUCE GROUNDWATER**

(Entity Form)

**BEFORE ME**, the undersigned authority, on this day personally appeared Clifford Mark Heelscher, who being duly sworn on his oath, says and deposes as follows:

"My name is Clifford Mark Heelscher. I am the Co-Owner (title) of Cala d' Brazos LLC (name of entity) (hereinafter referred to as the "Applicant"). I have been authorized by Cala d' Brazos LLC (name of entity) to give this affidavit. I am of sound mind, over eighteen (18) years of age, and have never been convicted of a felony or of a crime involving moral turpitude. My address is 1168 Kinney Ave, Austin, Texas. I have personal knowledge of the facts stated herein, and they are true and correct.

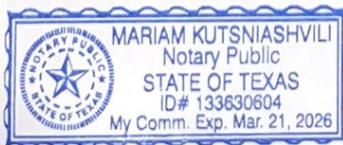
1. I am submitting to the Brazos Valley Groundwater Conservation District ("District") an application for a drilling and/or operating permit on behalf of the Applicant for a water well located at German and Mears Farms, Robertson County, Texas.
2. Applicant has the legal authority to produce the groundwater associated with the land surface and the permit application for the well listed in #1 above, as required by District Rule 7.1(c).
3. Exhibit A, attached hereto, is the map that identifies the water rights to be legally controlled by the Applicant under District Rule 7.1(c) for the well listed in #1 above.
4. I have provided to the District documents that prove Applicant's right to own, control, or produce the groundwater rights associated with the permit application for the well listed in #1 above, as required by District Rule 7.1(c).
5. I have provided to the District documents, if any, that fully evidence all transfer(s) of Applicant's right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application, as required by Rule 7.1(c). And I understand that I am required to provide such transfer documents as they occur in the future.
6. I understand that a permit may be amended or revoked if the groundwater rights or right to produce, related to a permit under Rule 7.1(c), are legally transferred to another person/entity.

**FURTHER AFFIANT SAYETH NOT."**

Signed Clifford Mark Heelscher  
Authorized representative of Applicant

**SWORN AND SUBSCRIBED** to before me on this the 29 day of July, 2023.

(Notary Seal)



M. Kutsniashvili  
Notary Public in and for the State of Texas

My Commission Expires: Mar. 21, 2026

**AFFIDAVIT OF LEGAL RIGHT TO PRODUCE GROUNDWATER**

(Entity Form)

BEFORE ME, the undersigned authority, on this day personally appeared David Dean Hoelscher, who being duly sworn on his oath, says and deposes as follows:

"My name is David Dean Hoelscher. I am the Co-Owner (title) of Cula d' Brazos, LLC (name of entity) (hereinafter referred to as the "Applicant"). I have been authorized by Cula d' Brazos, LLC (name of entity) to give this affidavit. I am of sound mind, over eighteen (18) years of age, and have never been convicted of a felony or of a crime involving moral turpitude. My address is 6920 Gaur Dr, Austin, Texas. I have personal knowledge of the facts stated herein, and they are true and correct.

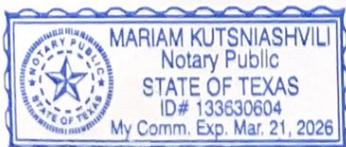
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2. Applicant has the legal authority to produce the groundwater associated with the land surface and the permit application for the well listed in #1 above, as required by District Rule 7.1(c).
3. Exhibit A, attached hereto, is the map that identifies the water rights to be legally controlled by the Applicant under District Rule 7.1(c) for the well listed in #1 above.
4. I have provided to the District documents that prove Applicant's right to own, control, or produce the groundwater rights associated with the permit application for the well listed in #1 above, as required by District Rule 7.1(c).
5. I have provided to the District documents, if any, that fully evidence all transfer(s) of Applicant's right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application, as required by Rule 7. I(c). And I understand that I am required to provide such transfer documents as they occur in the future.
6. I understand that a permit may be amended or revoked if the groundwater rights or right to produce, related to a permit under Rule 7.1(c), are legally transferred to another person/entity.

FURTHER AFFIANT SAYETH NOT."

Signed David D. Hoelscher  
Authorized representative of Applicant

SWORN AND SUBSCRIBED to before me on this the 29 day of July, 20 23.

(Notary Seal)



M. Kutsniashvili  
Notary Public in and for the State of Texas  
My Commission Expires: Mar. 21, 2026

\*\*\*\*\* Electronically Recorded Document \*\*\*\*\*

## Robertson County

Stephanie M. Sanders  
Robertson County Clerk  
Franklin, Texas

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Document Number: 2021-20212630  
Recorded As : EREC-RECORDINGS

Recorded On: August 02, 2021  
Recorded At: 01:01:52 pm  
Number of Pages: 7  
Book-VI/Pg: Bk-OR VI-1450 Pg-179  
Recording Fee: \$46.00

Parties:

Direct-  
Indirect- NOT REQUIRED

Receipt Number: 132489  
Processed By: Maxine Lattimore

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

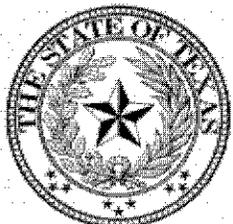
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STATE OF TEXAS

COUNTY OF ROBERTSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of Robertson County, Texas

Honorable Stephanie M. Sanders, County Clerk, Robertson County



**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**

**DAVID DEAN HOELSCHER**, of Travis County, Texas (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by **CULA D'BRAZOS LLC** (hereinafter referred to as "Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's interest in and to the following real property together with all improvements situated thereon (such interest is hereinafter referred to as "Subject Property"):

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN THOSE CERTAIN TRACTS OF LAND LYING AND BEING SITUATED IN ROBERTSON COUNTY, TEXAS, OUT OF AND A PART OF THE GEORGE NIXON SURVEY, ABSTRACT NO. 31, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; AND BEING THE SAME PROPERTY CONVEYED IN THAT CERTAIN GENERAL WARRANTY DEED DATED DECEMBER 15, 2008 FROM GOTTFRIED FREIHERR VON LUENINCK, ET UX TO CLIFFORD H. HOELSCHER AND ALICE B. HOELSCHER AND RECORDED IN VOLUME 973, PAGE 661, OFFICIAL PUBLIC RECORDS OF ROBERTSON COUNTY, TEXAS.

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term Subject Property shall refer to and include the property described in this paragraph.

The conveyance made hereby, and the warranties made hereunder, are made by Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in County Name County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to warrant and forever defend

all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and are assumed by Grantee.

EXECUTED on August 2, 2021.

*David D. Hoelscher*

DAVID DEAN HOELSCHER, Grantor

**Address of Grantee:**

Cula d'Brazos LLC  
1108 Kinney Avenue  
Austin, Texas 78704

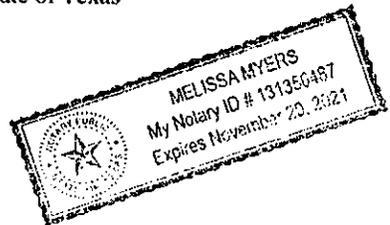
**After Recording Return to:**

STONEMYERS LAW PLLC  
3309 West Slaughter Lane  
AUSTIN, Texas 78748

STATE OF TEXAS                    §  
  §  
COUNTY OF TRAVIS               §

This instrument was acknowledged before me on August 2, 2021, by DAVID DEAN HOELSCHER.

*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public, State of Texas



Field Notes for a 176.29 Acre Tract  
 GEORGE NIXON SURVEY, A-31  
 Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further being out of a 69.93 acre tract described as the Third Tract and a 111.5 acre tract described as the Fifth Tract in a Deed to M. L. Scott recorded in Volume 253, page 627 of the Deed records of Robertson County, Texas, said tract of parcel of land herein described as follows; to-wit:

**BEGINNING:** at a concrete monument in the North Right of Way line of U. S. Highway 79 at the intersection with the North East line of abandoned Highway 43 for the South West corner of the herein described tract, said corner further being the South East corner of the John Migliorzo tract;

**THENCE** along the North Right of Way line of U. S. Highway 79 along a curve to the right with a central angle of  $12^{\circ} 58'$ , a radius of 2944.79 feet, and a long chord bearing  $N 51^{\circ} 47' 47'' E 665.73$  feet to a concrete monument at the end of the curve, and  $N 88^{\circ} 19' 48'' E 1682.98$  feet to a set steel rod at the intersection with the West line of E.H. Highway 1646 for the South East corner of the herein described tract;

**THENCE** along the West line of E. M. Highway 1544  $N 3^{\circ} 28' 43'' W 178.22$  feet,  $N 34^{\circ} 48' 43'' W 1210.79$  feet to a point for the beginning of a curve to the left, and along the curve to the left with a central angle of  $17^{\circ} 20'$ , a radius of 1392.39 feet, and a long chord bearing  $N 42^{\circ} 02' 56'' N 327.12$  feet to a set steel rod at a fence corner for a corner of the herein described tract;

**THENCE**  $S 57^{\circ} 59' 08'' W 487.54$  feet along an existing fence to a set steel rod at a fence corner for the South West corner of the Betty Onky tract;

**THENCE**  $N 32^{\circ} 07' 29'' W 253.18$  feet along an existing fence to a set steel rod in the South Right of Way line of the Missouri Pacific Railroad for the Northern most North East corner of the herein described tract;

**THENCE** along the South Right of Way line of the Missouri Pacific Railroad  $S 63^{\circ} 15' 16'' W 4495.15$  feet, and  $S 58^{\circ} 46' 01'' W 85.39$  feet to a set steel rod in a fence line for the North West corner of the herein described tract;

**THENCE**  $S 55^{\circ} 28' 44'' E 116.44$  feet along a fence to a corner post at the intersection with the Northeast line of an abandoned Highway 43;

continued

Page 1 of 4

THENCE along a fence for the Northeast line of abandoned Highway 43 as follows:

N 85° 26' 41" E 139.55 feet,  
 S 83° 43' 46" E 102.54 feet,  
 S 78° 54' 57" E 2911.50 feet,  
 S 83° 37' 32" E 94.97 feet,  
 N 85° 59' 44" E 98.95 feet,  
 N 79° 38' 58" E 94.21 feet, and  
 N 73° 05' 12" E 147.43 feet to the place of BEGINNING and contain-  
 ing 176.29 acres of land, more or less.

Surveyed by *J. L. Wilson*  
 J. L. Wilson  
 Reg. Public Surveyor 2957  
 Dec. 1980

Doc Bk Vol Pg  
20204187 OR 1428 623

Field Notes for a 286.92 Acre Tract  
GEORGE NIXON SURVEY, A-31  
Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further consisting of a 156.46 acre tract described as the First Tract and a 106.13 acre tract described as the Second Tract in a Deed to M. L. Scott recorded in Volume 263, page 627 of the Deed Records of Robertson County, Texas, said tract or parcel of land herein described as follows; to-wit:

BEGINNING at a found steel rod at a fence corner at the intersection of the North line of the said 156.46 acre tract with the West line of F. B. Highway 1644 for the North East corner of the herein described tract, said corner further being the South East corner of the formerly Olene Henson tract;

THENCE along the West line of F. B. Highway 1644 as follows:

S 31° 25' 00" E 1096.64 feet,  
along a curve to the left with a central of 20° 44' 38", a radius of 1913.54 feet, and a long chord bearing S 41° 47' 18" E 710.48 feet to the end of the curve; and  
S 52° 09' 38" E 344.34 feet to a set steel rod at the intersection with the North Right of Way line of the Missouri Pacific Railroad for the South East corner of the herein described tract;

THENCE along the North Right of Way line of the Missouri Pacific Railroad as follows:

S 63° 15' 16" W 4815.82 feet,  
along a curve to the left with a central of 39° 02' 03", a radius of 1932.69 feet, and a long chord bearing S 43° 44' 15" W 1023.03 feet to the end of the curve, and  
S 24° 13' 13" N 314.46 feet to a set steel rod in the East bank of the Brazos River for the South West corner of the herein described tract;

THENCE along the East bank of the Brazos River N 42° 42' 20" W 266.72 feet, N 57° 08' 04" W 1930.81 feet, and N 45° 55' 39" W 334.66 feet to a point at the intersection with the North line of the said Scott tract for the North West corner of the herein described tract;

THENCE N 88° 36' 50" E 2277.00 feet along a line through a large drainage ditch to a found steel rod at the South West corner of the before mentioned Olene Henson tract;  
4,797.91 feet

THENCE N 88° 36' 50" E continuing along the North line of the said Scott tract to the place of BEGINNING and containing 286.92 acres of land, more or less.

Surveyed by *J. L. Wilson*

Page 3 of 4

J. L. Wilson  
Reg. Public Surveyor 2937

Dec. 1980

Doc 20204187 OR Bk Vol 1428 Ps 624

Field Notes for a 108.68 Acre Tract  
 GEORGE NIXON SURVEY, A-31  
 Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further being the same tract of land described as Tract No. 4 of 111.61 acres of land in a Deed to M. L. Scott recorded in Volume 263, page 627 of the Deed Records of Robertson County Texas, said tract or parcel of land herein described as follows; to-wit:

**BEGINNING** at a found steel pipe in the West Right of Way line of the Missouri Pacific Railroad for the North East corner of the said Scott tract for the North East corner of the herein described tract, said corner further being the South East corner of the formerly Joe Loris 98.35 acre tract;

**THENCE** S 32° 00' 00" E 1397.05 feet along the West Right of Way line of the Missouri Pacific Railroad to a point at the beginning of a curve to the right;

**THENCE** continuing along the Right of Way line of the Missouri Pacific RR on a curve with a central angle of 95° 45' 16", a radius of 840.93 feet, and a long chord bearing S 12° 47' 31" W 1147.31 feet to the intersection of the North Right of Way line of the Missouri Pacific Railroad;

**THENCE** S 63° 15' 16" W 1231.14 feet Along the North Right of Way line of the said Missouri Pacific Railroad to a set steel rod at the intersection with the East line of F. M. Highway 1644 for the South West corner of the herein described tract;

**THENCE** along the East line of F. M. Highway 1644 as follows:

N 32° 00' 00" W 388.21 feet,  
 along a curve to the right with a central angle of 20° 45' 49",  
 a radius of 1859.86 feet, and a long chord bearing N 41° 45' 14" W  
 673.92 feet to the end of the curve, and  
 N 31° 22' 19" W 1098.23 feet to a found steel rod for the North  
 West corner of the herein described tract;

**THENCE** N 58° 42' 58" E 2279.24 feet along the North line of the said Scott tract to the place of **BEGINNING** and containing 108.68 acres of land, more or less.

Surveyed by

*Joe L. Bligh*  
 Joe L. Bligh  
 Reg. Public Surveyor 2957

Dec. 1980

# Robertson County

Stephanie M. Sanders  
Robertson County Clerk  
Franklin, Texas

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Document Number: 2021-20212629  
Recorded As : EREC-RECORDINGS

Recorded On: August 02, 2021  
Recorded At: 01:01:44 pm  
Number of Pages: 5  
Book-VI/Pg: Bk-OR VI-1450 Pg-174  
Recording Fee: \$38.00

**Parties:**

Direct-  
Indirect- NOT REQUIRED

Receipt Number: 132489  
Processed By: Maxine Lattimore

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

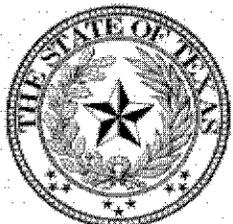
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STATE OF TEXAS

COUNTY OF ROBERTSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of Robertson County, Texas

Honorable Stephanie M. Sanders, County Clerk, Robertson County



**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**

THAT DAVID DEAN HOELSCHER, of Travis County, Texas (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by CULA D'BRAZOS LLC (hereinafter referred to as "Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's interest in and to the following real property together with all improvements situated thereon (such interest is hereinafter referred to as "Subject Property"):

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN A 35.88 ACRE TRACT OF LAND, A 226.56 ACRE TRACT OF LAND AND A 620.3 ACRE TRACT OF LAND, MORE OR LESS, IN ROBERTSON COUNTY, TEXAS AND BEING THE SAME LAND DESCRIBED AS "FIRST TRACT", "SECOND TRACT" AND "THIRD TRACT" ON EXHIBIT "C" OF THAT CERTAIN SPECIAL WARRANTY DEED DATED APRIL 26, 1996 FROM MARY E. BARNHART, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF WILLIAM T. BARNHART, JR. TO LAURA ALICE BARNHART HOELSCHER AND CLIFFORD E. HOELSCHER, SAID DEED RECORDED IN VOLUME 652, PAGE 439, OFFICIAL RECORDS, ROBERTSON COUNTY, TEXAS.

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term Subject Property shall refer to and include the property described in this paragraph.

The conveyance made hereby, and the warranties made hereunder, are made by Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in County Name County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to warrant and forever defend

all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and are assumed by Grantee.

EXECUTED on August 2, 2021.

*David D. Hoelscher*

\_\_\_\_\_  
DAVID DEAN HOELSCHER, Grantor

**Address of Grantee:**

Cula d'Brazos LLC  
1108 Kinney Avenue  
Austin, Texas 78704

**After Recording Return to:**

STONEMYERS LAW PLLC  
3309 West Slaughter Lane  
AUSTIN, Texas 78748

STATE OF TEXAS

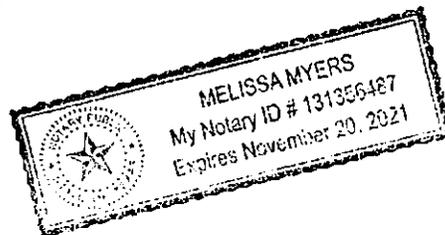
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COUNTY OF TRAVIS

This instrument was acknowledged before me on August 2, 2021, by DAVID DEAN HOELSCHER.

*[Signature]*

\_\_\_\_\_  
Notary Public, State of Texas



## EXHIBIT "C"

VOL 652 PAGE 441

35.88 acres of land, 226.56 acres of land and 620.3 acres of land, more or less, in Robertson County, Texas, as more fully described as follows:

**FIRST TRACT:** Being a part of the James R. Robertson Head-right League in conflict with the G. A. Nixon 1/3 League Grant Abst. No. 31, said County and State and being described by metes and bounds as follows:

**BEGINNING** at the NE cor of the tract of land described as "Third Tract" in a deed from R. R. Cole et al to Tom Nears, dated November 3, 1944 and recorded in Vol. 135, page 306 of the Deed Records of Robertson County, Texas, said point being S 70 W 2838 vrs from SE cor of the H. R. McGrew 1/3 League said beginning point being also the NE corner of this particular survey and same being on the South right-of-way of Highway 190 and same being on the West side of the Goodland-Valley Junction road and 25 feet from the center line thereof.

**THENCE** along the South ROW of Highway 190 and 50 feet from the center line thereof S 70 W 243 vrs to the thread of a ditch;

**THENCE** down the thread of a series of connecting ditches on base lines as follows: S 12° 50' W 426 vrs; S 71 W 135 vrs; S 37° 30' E 32 vrs; N 86 E 62 vrs; S 32° 30' E 60 vrs;

**THENCE** N 70 E 594 vrs to a stake on the West side of the Goodland-Valley Junction Road;

**THENCE** down the West side of the Goodland-Valley Junction Road and 40 feet from the center line thereof on a base line of N 30° 50' W 461 vrs to the place of beginning containing 35.88 acres of land, more or less.

**SECOND TRACT:** Being parts of the James R. Robertson Head-right League and the H R McGrew 1/3 League Survey in conflict with the G A Nixon 1/3 League Grant, Abst. No. 31, said County and State, and being described by metes and bounds as follows:

**BEGINNING** at an iron pin, same being on the South ROW of Highway No. 190 and same being S 70 W 1985 vrs from the NE cor of said Tom Nears 890.3 acre tract;

**THENCE** S 30° 17' E 1368 vrs down the center line of an existing turnrow to an iron pin;

**THENCE** N 69° 35' E 184 vrs to the thread of a drainage ditch;

**THENCE** down the thread of said ditch with its various curves and meanders on base lines as follows: S 13° 51' W 137 vrs; S 11° 31' E 68 vrs; S 25° 51' E 62 vrs; S 39° 24' 366 vrs to the South line of said Tom Nears 890.3 acre tract;

**THENCE** along the South line of said Tom Nears tract S 58° 25' W 484 vrs to a stake on the West Bank of the Brazos River;

**THENCE** up the Brazos with its various curves and meanders on base lines as follows: N 28 W 305 vrs; N 35 W 775 vrs; N 43 W 755 vrs; N 34 W 690 vrs to the south ROW line of Highway No. 190 to the Port Sullivan Bridge;

THENCE along the South ROW line of Highway No. 190 and 50 feet from the center line thereof on base lines as follows: N 77° E 157 vrs; S 84° 30' W 205 vrs; S 67° E 468 vrs; S 74° 30' E 189 vrs; N 70° E 117 vrs to the place of beginning containing 234.12 acres of land more or less, all in accordance with a survey made on the ground on April 19, 1954 by C. S. Anchicks, Calvert, Texas, Registered Professional Engineer No. 5162;

SAVE AND EXCEPTING THEREFROM, however, that certain 7.537 acre tract of land conveyed by right of way deed from Mrs. Tom Mears, to State of Texas, dated October 25, 1953, recorded in Vol. 183, page 300 of the Deed Records of Robertson County, Texas, to which deed and the record thereof reference is hereby made for all purposes.

HIRD TRACT:

VOL 652 PAGE 442

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, being part of the Tom Mears 890.3 acre tract and described by metes and bounds as follows, to wit:

Being a part of the James R. Robertson Headright League in conflict with the G. A. Nixon II League Grant, Abst. No. 31, said county and State, and starting at the NE cor. of a tract of land described as "Third Tract" in a deed from R. R. Cole et al to Tom Mears, dated Nov. 3, 1944, and recorded in Vol 135 at page 306 of the Deed Records of Robertson County, Texas, said point being S. 70W. 838 vrs. from the SE cor. of the H. R. McGrew 1/3 League, said starting point being also the NE cor. of a 35.88 acre tract conveyed to Mrs. Frankie Mears and said point being on the S. right-of-way line of Highway no. 190, and same being on the West side of the Goodland-Valley Junction Road and 25 feet from the center line thereof;

THENCE along the South R. O. W. of Highway No. 190 and 50 feet from the center line thereof, S. 70 W. 245 vrs. to a stk. set in the thread of a ditch for the beginning of this survey;

THENCE along the S. right-of-way of Highway No. 190 and 50 feet from the center line thereof, S. 70 W. 1740 vrs. to an iron pin for cor. said point being the NE cor. of a tract containing 234.12 acres belonging to Mrs. Frankie Mears;

THENCE S. 20° 17' E. 1368 vrs. down the center line of an existing turnrow to an iron pin;

THENCE N. 69° 35' E. 184 vrs. to the thread of a drainage ditch; THENCE down the thread of said ditch with its varying curves and meanders, on base lines as follows: S. 13° 51' W. 137 vrs.; S. 11° 31' E. 58 vrs.; S. 25° 51' E. 62 vrs.; S. 39° 24' E 366 vrs. to the S. line of said Tom Mears 890.3 acre tract;

THENCE with Mears South line N. 58° 25' E. 2089 vrs. to a stk on the West side of the Goodland-Valley Junction Road;

THENCE along the West side of the Goodland-Valley Junction road, and 25 feet from the center line thereof on a base line N. 30° 50' W. 102 vrs., a stk set for the NE cor. of this tract, said point being the SE cor. of a 35.88 acre tract now owned by Mrs. Frankie Mears;

THENCE S. 70 W. 594 vrs. to a stk set in the thread or center of drainage ditch;

THENCE up the thread of a series of connecting ditches on base lines as follows: N. 52° 30' W. 60 vrs.; S. 86W. 62 vrs.; N. 37° 30' E. 32 vrs.; N. 71 E 135 vrs.; N. 12° 50' E. 426 vrs. to the place of beginning, containing 620.3 acres of land, more or less; as surveyed on April 19, 1954, by C. S. Anchicks, Calvert, Texas, Registered Professional Engineer; and being also the same property described in the deed from Lila Louise Mears Aeri et al to W. T. Barnhart, dated May 24, 1954, of record in Vol. 174, page 336, Deed Records of Robertson County, Texas, to which and the record thereof reference is made for all purposes.

# Robertson County

Stephanie M. Sanders  
Robertson County Clerk  
Franklin, Texas

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Document Number: 2021-20212631

Recorded As : EREC-RECORDINGS

Recorded On: August 02, 2021  
Recorded At: 01:02:08 pm  
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Recording Fee: \$46.00

Parties:

Direct-  
Indirect- NOT REQUIRED

Receipt Number: 132489  
Processed By: Maxine Lattimore

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

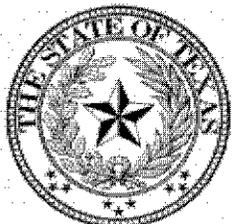
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STATE OF TEXAS

COUNTY OF ROBERTSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of Robertson County, Texas

Honorable Stephanie M. Sanders, County Clerk, Robertson County



**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**

THAT **C. MARK HOELSCHER**, of Travis County, Texas (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by **CULA D'BRAZOS LLC** (hereinafter referred to as "Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's interest in and to the following real property together with all improvements situated thereon (such interest is hereinafter referred to as "Subject Property"):

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN THOSE CERTAIN TRACTS OF LAND LYING AND BEING SITUATED IN ROBERTSON COUNTY, TEXAS, OUT OF AND A PART OF THE GEORGE NIXON SURVEY, ABSTRACT NO. 31, BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES; AND BEING THE SAME PROPERTY CONVEYED IN THAT CERTAIN GENERAL WARRANTY DEED DATED DECEMBER 15, 2008 FROM GOTTFRIED FREIHERR VON LUENINCK, ET UX TO CLIFFORD H. HOELSCHER AND ALICE B. HOELSCHER AND RECORDED IN VOLUME 973, PAGE 661, OFFICIAL PUBLIC RECORDS OF ROBERTSON COUNTY, TEXAS.

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term Subject Property shall refer to and include the property described in this paragraph.

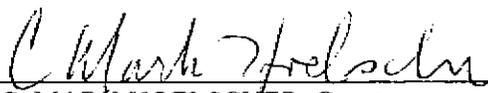
The conveyance made hereby, and the warranties made hereunder, are made by Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in County Name County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to warrant and forever defend

all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and are assumed by Grantee.

EXECUTED on August 2, 2021.

  
C. MARK HOELSCHER, Grantor

**Address of Grantee:**

Cula d'Brazos LLC  
1108 Kinney Avenue  
Austin, Texas 78704

**After Recording Return to:**

STONEMYERS LAW PLLC  
3309 West Slaughter Lane  
AUSTIN, Texas 78748

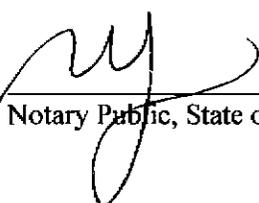
STATE OF TEXAS §

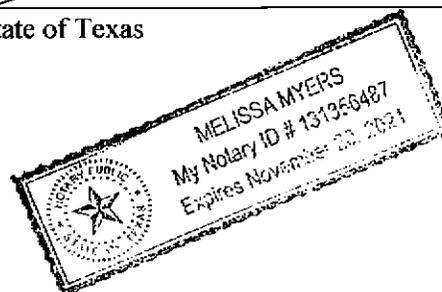
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COUNTY OF TRAVIS §

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This instrument was acknowledged before me on August 2, 2021, by C. MARK HOELSCHER.

  
Notary Public, State of Texas



Field Notes for a 176.29 Acre Tract  
 GEORGE NIXON SURVEY, A-31  
 Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further being out of a 69.93 acre tract described as the Third Tract and a 111.5 acre tract described as the Fifth Tract in a Deed to M. L. Scott recorded in Volume 253, page 627 of the Deed records of Robertson County, Texas, said tract of parcel of land herein described as follows; to-wit:

**BEGINNING:** at a concrete monument in the North Right of Way line of U. S. Highway 79 at the intersection with the North East line of abandoned Highway 43 for the South West corner of the herein described tract, said corner further being the South East corner of the John Migliorzo tract;

**THENCE** along the North Right of Way line of U. S. Highway 79 along a curve to the right with a central angle of  $12^{\circ} 58'$ , a radius of 2944.79 feet, and a long chord bearing  $N 51^{\circ} 47' 47'' E 665.73$  feet to a concrete monument at the end of the curve, and  $N 88^{\circ} 19' 48'' E 1682.98$  feet to a set steel rod at the intersection with the West line of E.H. Highway 1646 for the South East corner of the herein described tract;

**THENCE** along the West line of E. M. Highway 1544  $N 3^{\circ} 28' 43'' W 178.22$  feet,  $N 34^{\circ} 48' 43'' W 1210.79$  feet to a point for the beginning of a curve to the left, and along the curve to the left with a central angle of  $17^{\circ} 20'$ , a radius of 1392.39 feet, and a long chord bearing  $N 42^{\circ} 02' 56'' N 327.12$  feet to a set steel rod at a fence corner for a corner of the herein described tract;

**THENCE**  $S 57^{\circ} 59' 08'' W 487.54$  feet along an existing fence to a set steel rod at a fence corner for the South West corner of the Betty Onky tract;

**THENCE**  $N 32^{\circ} 07' 29'' W 253.18$  feet along an existing fence to a set steel rod in the South Right of Way line of the Missouri Pacific Railroad for the Northern most North East corner of the herein described tract;

**THENCE** along the South Right of Way line of the Missouri Pacific Railroad  $S 63^{\circ} 15' 16'' W 4495.15$  feet, and  $S 58^{\circ} 46' 01'' W 85.39$  feet to a set steel rod in a fence line for the North West corner of the herein described tract;

**THENCE**  $S 55^{\circ} 28' 44'' E 116.44$  feet along a fence to a corner post at the intersection with the Northeast line of an abandoned Highway 43;

continued

Page 1 of 4

Doc 20204187 Bk OR Vol 1428 Ps 622

page 2

THENCE along a fence for the Northeast line of abandoned Highway 43 as follows:  
N 85° 26' 41" E 139.55 feet,  
S 83° 43' 46" E 102.54 feet,  
S 78° 54' 57" E 2911.50 feet,  
S 83° 37' 32" E 94.97 feet,  
N 85° 59' 44" E 98.95 feet,  
N 79° 38' 58" E 94.21 feet, and  
N 73° 05' 12" E 147.43 feet to the place of BEGINNING and contain-  
ing 176.29 acres of land, more or less.

Surveyed by J. L. Wilson  
J. L. Wilson  
Reg. Public Surveyor 2957  
Dec. 1980

Doc Bk Vol Pg  
20204187 OR 1428 623

Field Notes for a 286.92 Acre Tract  
GEORGE NIXON SURVEY, A-31  
Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further consisting of a 156.46 acre tract described as the First Tract and a 106.13 acre tract described as the Second Tract in a Deed to M. L. Scott recorded in Volume 263, page 627 of the Deed Records of Robertson County, Texas, said tract or parcel of land herein described as follows; to-wit:

BEGINNING at a found steel rod at a fence corner at the intersection of the North line of the said 156.46 acre tract with the West line of F. B. Highway 1644 for the North East corner of the herein described tract, said corner further being the South East corner of the formerly Olene Henson tract;

THENCE along the West line of F. B. Highway 1644 as follows:

S 31° 25' 00" E 1096.64 feet,  
along a curve to the left with a central of 20° 44' 38", a radius of 1913.54 feet, and a long chord bearing S 41° 47' 18" E 710.48 feet to the end of the curve; and  
S 52° 09' 38" E 344.34 feet to a set steel rod at the intersection with the North Right of Way line of the Missouri Pacific Railroad for the South East corner of the herein described tract;

THENCE along the North Right of Way line of the Missouri Pacific Railroad as follows:

S 63° 15' 16" W 4815.82 feet,  
along a curve to the left with a central of 39° 02' 03", a radius of 1932.69 feet, and a long chord bearing S 43° 44' 15" W 1023.03 feet to the end of the curve, and  
S 24° 13' 13" N 314.46 feet to a set steel rod in the East bank of the Brazos River for the South West corner of the herein described tract;

THENCE along the East bank of the Brazos River N 42° 42' 20" W 266.72 feet, N 57° 08' 04" W 1930.81 feet, and N 45° 55' 39" W 334.66 feet to a point at the intersection with the North line of the said Scott tract for the North West corner of the herein described tract;

THENCE N 88° 36' 50" E 2277.00 feet along a line through a large drainage ditch to a found steel rod at the South West corner of the before mentioned Olene Henson tract;  
4,797.91 feet

THENCE N 88° 36' 50" E continuing along the North line of the said Scott tract to the place of BEGINNING and containing 286.92 acres of land, more or less.

Surveyed by *J. L. Wilson*

Page 3 of 4

J. L. Wilson  
Reg. Public Surveyor 2937

Dec. 1980

Doc 20204187 OR Bk Vol 1428 Ps 624

Field Notes for a 108.68 Acre Tract  
 GEORGE NIXON SURVEY, A-31  
 Robertson County, Texas

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the George Nixon Survey, Abstract No. 31, and further being the same tract of land described as Tract No. 4 of 111.61 acres of land in a Deed to M. L. Scott recorded in Volume 263, page 627 of the Deed Records of Robertson County Texas, said tract or parcel of land herein described as follows; to-wit:

BEGINNING at a found steel pipe in the West Right of Way line of the Missouri Pacific Railroad for the North East corner of the said Scott tract for the North East corner of the herein described tract, said corner further being the South East corner of the formerly Joe Loris 98.35 acre tract;

THENCE S 32° 00' 00" E 1397.05 feet along the West Right of Way line of the Missouri Pacific Railroad to a point at the beginning of a curve to the right;

THENCE continuing along the Right of Way line of the Missouri Pacific RR on a curve with a central angle of 95° 45' 16", a radius of 840.93 feet, and a long chord bearing S 12° 47' 31" W 1147.31 feet to the intersection of the North Right of Way line of the Missouri Pacific Railroad;

THENCE S 63° 15' 16" W 1231.14 feet Along the North Right of Way line of the said Missouri Pacific Railroad to a set steel rod at the intersection with the East line of F. M. Highway 1644 for the South West corner of the herein described tract;

THENCE along the East line of F. M. Highway 1644 as follows:

N 32° 00' 00" W 388.21 feet,  
 along a curve to the right with a central angle of 20° 45' 49",  
 a radius of 1859.86 feet, and a long chord bearing N 41° 45' 14" W  
 673.92 feet to the end of the curve, and  
 N 31° 22' 19" W 1098.23 feet to a found steel rod for the North  
 West corner of the herein described tract;

THENCE N 58° 42' 58" E 2279.24 feet along the North line of the said Scott tract to the place of BEGINNING and containing 108.68 acres of land, more or less.

Surveyed by

*Joe L. Bligh*  
 Joe L. Bligh  
 Reg. Public Surveyor 2957

Dec. 1980

# Robertson County

Stephanie M. Sanders  
Robertson County Clerk  
Franklin, Texas

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Document Number: 2021-20212628  
Recorded As : EREC-RECORDINGS

Recorded On: August 02, 2021  
Recorded At: 01:01:35 pm  
Number of Pages: 5  
Book-VI/Pg: Bk-OR VI-1450 Pg-169  
Recording Fee: \$38.00

**Parties:**

Direct-  
Indirect- NOT REQUIRED

Receipt Number: 132489  
Processed By: Maxine Lattimore

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

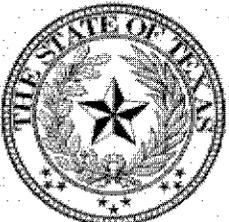
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STATE OF TEXAS

COUNTY OF ROBERTSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of Robertson County, Texas

Honorable Stephanie M. Sanders, County Clerk, Robertson County



**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**

THAT **C. MARK HOELSCHER**, of Travis County, Texas (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by **CULA D'BRAZOS LLC** (hereinafter referred to as "Grantee"), has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's interest in and to the following real property together with all improvements situated thereon (such interest is hereinafter referred to as "Subject Property"):

AN UNDIVIDED ONE-HALF (1/2) INTEREST IN A 35.88 ACRE TRACT OF LAND, A 226.56 ACRE TRACT OF LAND AND A 620.3 ACRE TRACT OF LAND, MORE OR LESS, IN ROBERTSON COUNTY, TEXAS AND BEING THE SAME LAND DESCRIBED AS "FIRST TRACT", "SECOND TRACT" AND "THIRD TRACT" ON EXHIBIT "C" OF THAT CERTAIN SPECIAL WARRANTY DEED DATED APRIL 26, 1996 FROM MARY E. BARNHART, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF WILLIAM T. BARNHART, JR. TO LAURA ALICE BARNHART HOELSCHER AND CLIFFORD E. HOELSCHER, SAID DEED RECORDED IN VOLUME 652, PAGE 439, OFFICIAL RECORDS, ROBERTSON COUNTY, TEXAS.

Grantor does hereby convey the Subject Property together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations and remainders, and together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term Subject Property shall refer to and include the property described in this paragraph.

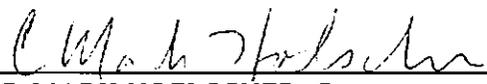
The conveyance made hereby, and the warranties made hereunder, are made by Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in County Name County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to warrant and forever defend

all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and are assumed by Grantee.

EXECUTED on August 2, 2021.

  
\_\_\_\_\_  
C. MARK HOELSCHER, Grantor

**Address of Grantee:**

Cula d'Brazos LLC  
1108 Kinney Avenue  
Austin, Texas 78704

**After Recording Return to:**

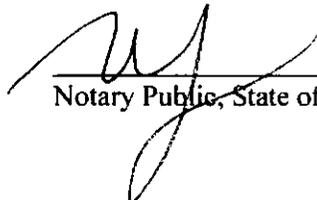
STONEMYERS LAW PLLC  
3309 West Slaughter Lane  
AUSTIN, Texas 78748

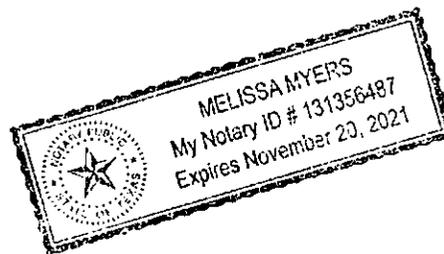
STATE OF TEXAS

§  
§  
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on August 2, 2021, by C. MARK HOELSCHER.

  
\_\_\_\_\_  
Notary Public, State of Texas



## EXHIBIT "C"

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35.88 acres of land, 226.56 acres of land and 620.3 acres of land, more or less, in Robertson County, Texas, as more fully described as follows:

**FIRST TRACT:** Being a part of the James R. Robertson Head-right League in conflict with the G. A. Nixon 1/3 League Grant Abst. No. 31, said County and State and being described by metes and bounds as follows:

**BEGINNING** at the NE cor of the tract of land described as "Third Tract" in a deed from R. R. Cole et al to Tom Nears, dated November 3, 1944 and recorded in Vol. 135, page 306 of the Deed Records of Robertson County, Texas, said point being S 70 W 2838 vrs from SE cor of the H. R. McGrew 1/3 League said beginning point being also the NE corner of this particular survey and same being on the South right-of-way of Highway 190 and same being on the West side of the Goodland-Valley Junction road and 25 feet from the center line thereof.

**THENCE** along the South ROW of Highway 190 and 50 feet from the center line thereof S 70 W 243 vrs to the thread of a ditch;

**THENCE** down the thread of a series of connecting ditches on base lines as follows: S 12° 50' W 426 vrs; S 71 W 135 vrs; S 37° 30' E 32 vrs; N 86 E 62 vrs; S 32° 30' E 60 vrs;

**THENCE** N 70 E 594 vrs to a stake on the West side of the Goodland-Valley Junction Road;

**THENCE** down the West side of the Goodland-Valley Junction Road and 40 feet from the center line thereof on a base line of N 30° 50' W 461 vrs to the place of beginning containing 35.88 acres of land, more or less.

**SECOND TRACT:** Being parts of the James R. Robertson Head-right League and the H R McGrew 1/3 League Survey in conflict with the G A Nixon 1/3 League Grant, Abst. No. 31, said County and State, and being described by metes and bounds as follows:

**BEGINNING** at an iron pin, same being on the South ROW of Highway No. 190 and same being S 70 W 1985 vrs from the NE cor of said Tom Nears 890.3 acre tract;

**THENCE** S 30° 17' E 1368 vrs down the center line of an existing turnrow to an iron pin;

**THENCE** N 69° 35' E 184 vrs to the thread of a drainage ditch;

**THENCE** down the thread of said ditch with its various curves and meanders on base lines as follows: S 13° 51' W 137 vrs; S 11° 31' E 68 vrs; S 25° 51' E 62 vrs; S 39° 24' 366 vrs to the South line of said Tom Nears 890.3 acre tract;

**THENCE** along the South line of said Tom Nears tract S 58° 25' W 484 vrs to a stake on the West Bank of the Brazos River;

**THENCE** up the Brazos with its various curves and meanders on base lines as follows: N 28 W 305 vrs; N 35 W 775 vrs; N 43½ W 755 vrs; N 34½ W 690 vrs to the south ROW line of Highway No. 190 to the Port Sullivan Bridge;

THENCE along the South ROW line of Highway No. 190 and 50 feet from the center line thereof on base lines as follows: N 77° E 157 vrs; S 84° 30' W 205 vrs; S 67° E 468 vrs; S 74° 30' E 189 vrs; N 70° E 117 vrs to the place of beginning containing 234.12 acres of land more or less, all in accordance with a survey made on the ground on April 19, 1954 by C. S. Anchicks, Calvert, Texas, Registered Professional Engineer No. 5162;

SAVE AND EXCEPTING THEREFROM, however, that certain 7.537 acre tract of land conveyed by right of way deed from Mrs. Tom Mears, to State of Texas, dated October 25, 1953, recorded in Vol. 183, page 300 of the Deed Records of Robertson County, Texas, to which deed and the record thereof reference is hereby made for all purposes.

HIRD TRACT:

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All that certain tract or parcel of land lying and being situated in Robertson County, Texas, being part of the Tom Mears 890.3 acre tract and described by metes and bounds as follows, to wit:

Being a part of the James R. Robertson Headright League in conflict with the G. A. Nixon II League Grant, Abst. No. 31, said county and State, and starting at the NE cor. of a tract of land described as "Third Tract" in a deed from R. R. Cole et al to Tom Mears, dated Nov. 3, 1944, and recorded in Vol 135 at page 306 of the Deed Records of Robertson County, Texas, said point being S. 70W. 838 vrs. from the SE cor. of the H. R. McGrew 1/3 League, said starting point being also the NE cor. of a 35.88 acre tract conveyed to Mrs. Frankie Mears and said point being on the S. right-of-way line of Highway no. 190, and same being on the West side of the Goodland-Valley Junction Road and 25 feet from the center line thereof;

THENCE along the South R. O. W. of Highway No. 190 and 50 feet from the center line thereof, S. 70 W. 245 vrs. to a stk. set in the thread of a ditch for the beginning of this survey;

THENCE along the S. right-of-way of Highway No. 190 and 50 feet from the center line thereof, S. 70 W. 1740 vrs. to an iron pin for cor. said point being the NE cor. of a tract containing 234.12 acres belonging to Mrs. Frankie Mears;

THENCE S. 20° 17' E. 1368 vrs. down the center line of an existing turnrow to an iron pin;

THENCE N. 69° 35' E. 184 vrs. to the thread of a drainage ditch;

THENCE down the thread of said ditch with its varying curves and meanders, on base lines as follows: S. 13° 51' W. 137 vrs.; S. 11° 31' E. 58 vrs.; S. 25° 51' E. 62 vrs.; S. 39° 24' E 366 vrs. to the S. line of said Tom Mears 890.3 acre tract;

THENCE with Mears South line N. 58° 25' E. 2089 vrs. to a stk on the West side of the Goodland-Valley Junction Road;

THENCE along the West side of the Goodland-Valley Junction road, and 25 feet from the center line thereof on a base line N. 30° 50' W. 102 vrs., a stk set for the NE cor. of this tract, said point being the SE cor. of a 35.88 acre tract now owned by Mrs. Frankie Mears;

THENCE S. 70 W. 594 vrs. to a stk set in the thread or center of drainage ditch;

THENCE up the thread of a series of connecting ditches on base lines as follows: N. 52° 30' W. 60 vrs.; S. 86W. 62 vrs.; N. 37° 30' E. 32 vrs.; N. 71 E 135 vrs.; N. 12° 50' E. 426 vrs. to the place of beginning, containing 620.3 acres of land, more or less; as surveyed on April 19, 1954, by C. S. Anchicks, Calvert, Texas, Registered Professional Engineer; and being also the same property described in the deed from Lila Louise Mears Aeri et al to W. T. Barnhart, dated May 24, 1954, of record in Vol. 174, page 338, Deed Records of Robertson County, Texas, to which and the record thereof reference is made for all purposes.

## **AFFIDAVIT OF LEGAL RIGHT TO GROUNDWATER**

**BEFORE ME**, the undersigned authority, on this day personally appeared David Lynch, who being duly sworn on his oath, says and deposes as follows:

“My name is David L. Lynch. I am the Member (*title*) of UW Brazos Valley Farm LLC (*name of entity*) (hereinafter referred to as the “Co-Applicant”). I have been authorized by UW Brazos Valley Farm LLC (*name of entity*) to give this affidavit. I am of sound mind, over eighteen (18) years of age, and have never been convicted of a felony or of a crime involving moral turpitude. My address is 7670 Woodway Drive, Suite 200, Houston, Texas 77063. I have personal knowledge of the facts stated herein, and they are true and correct.

1. I am submitting to the Brazos Valley Groundwater Conservation District (“District”) an application addendum for the transport permit related to previously authorized production from water wells located as specified in **BVDO-0408; BVDO-0409; BVDO-0410; BVDO-0411; BVDO-0412; BVDO-0413; BVDO-0414** (“Water Rights”).
2. Co-Applicant entered into an Exclusive Option to Lease Agreement with **Cula d’ Brazos, LLC** (“Applicant”)] by which, if the option is exercised, the Co-Applicant will enter into a long-term Groundwater Lease Agreement with Applicant that grants Co-Applicant the rights to produce and transport groundwater under the Water Rights as described in the pending Transport Permit application and a related agreement consenting to submittal of the application addendum (“Co-Applicant Rights”).
3. Applicant previously submitted an affidavit and documentation of its legal authority to produce the groundwater associated with the land surface and the permit application for the wells covered by the Water Rights, as required by District Rule 7.1(c), and related map figures (“Applicant Affidavit”).
4. I am attaching to this affidavit a true and correct copy of the Memorandum of Exclusive Option to prove the Co-Applicant Rights with respect to the groundwater rights associated with the permit application for the wells under the Water Rights, which together with the Applicant Affidavit, address the right to own, control, or produce the groundwater rights for the Simsboro groundwater addressed in the Water Rights.
5. I have provided to the District documents, if any, that fully evidence all transfer(s) of Co-Applicant’s right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application, as required by Rule 7.1(c). And I understand that I am required to provide such transfer documents as they occur in the future.
6. I understand that a permit may be amended or revoked in accordance with District Rules if the groundwater rights or right to produce, related to a permit under Rule 7.1(c), are legally transferred to another person/entity.

**FURTHER AFFIANT SAYETH NOT.”**

Signed   
Authorized representative of  
Co-Applicant

SWORN AND SUBSCRIBED to before me on this the 13th day of March, 2024.

(Notary Seal)



  
Notary Public in and for the State of Texas  
My Commission Expires: 09/15/2026