

**Attachment D –
Affidavit of Legal Right to Produce Groundwater
and Reference to Warranty Deed**

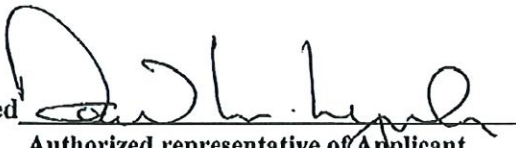
AFFIDAVIT OF LEGAL RIGHT TO PRODUCE GROUNDWATER
(Entity Form)

BEFORE ME, the undersigned authority, on this day personally appeared David L. 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 Brazos Valley Farm Development, LLC (name of entity) (hereinafter referred to as the "Applicant"). I have been authorized by UW Upwell, 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.

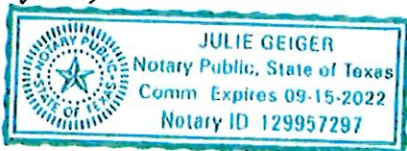
1. I am submitting to the Brazos Valley Groundwater Conservation District ("District") an application for a drilling and/or operating permit on behalf of the Applicant for a water well located at see attached deed.
2. Applicant has the legal authority to produce the groundwater associated with the land 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 
Authorized representative of Applicant

SWORN AND SUBSCRIBED to before me on this the 12th day of May, 2022.

(Notary Seal)




Notary Public in and for the State of Texas
My Commission Expires: 09/15/2022

See Warranty Deed provided May 11, 2022

in conjunction with the Operating Permit Applications for BVDO-0292 through BVDO-0304

Available at <https://brazosvalleygcd.org/files/?catid=226>