

THORNHILL GROUP, INC.

Professional Hydrogeologists • Water Resources Specialists

March 17, 2024

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

(via e-mail: 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 RH2O, LLC and UWBVF (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. 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

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: RH2O, LLC

Contact Person: Nickolas R. Lutz, Jr.

Mailing Address: 8529 Edinburg Ct.

City Montgomery State TX Zip 77316

Phone Number (936) 333-0993

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

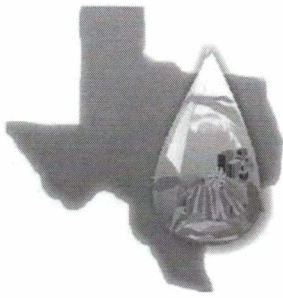
Use See Attachment C Amount Used _____ acre-feet/year

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: 8,130 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:	See Table A				
Landowner Name	RH2O, LLC				
Mailing Address	8529 Edinburg Ct.				
City	Montgomery	State	TX	Zip	77316
Location of well: Latitude	See Table A	Longitude	See Table A		
Description of physical location					
Date Drilled:	TBD	Driller's Name & Lic. #:	TBD		
What is the known or proposed total depth of the well?	See Table A	feet			
What is the known or proposed screened interval of the well?	See Table A	feet			
What is the known or proposed capacity of the well?	See Table A	gpm			
What aquifer will the well be producing from?	Simsboro				
Request for Well to be Aggregate with other wells?	Yes ^X	No	If yes, list wells:		
All wells in this application to be aggregated.					



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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 _____

Applicant Certification

I certify on behalf of Applicant **RH2O, 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 UWBVF 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.

RH2O, LLC

Nickolas Robert Lutz

Signed _____

Nickolas R. Lutz, Jr., Authorized representative of RH2O, LLC

SWORN AND SUBSCRIBED to before me on this the 14th day of March, 2024.

(Notary Seal)



Lamissa

Notary Public in and for the State of Texas - Virginia

My Commission Expires: 09/30/2027

Notarized remotely online using communication technology via Proof.



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Transport Permit Application

For District Use Only:

Application Date

Temporary Permit Number

Addition of Co-Applicant and Modification of Aggregate Proposed Amount of Water to Be Transported Annually

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 8,130 acre-feet per year as part of the UWBFV Project (defined in Att. C). The aggregated total groundwater authorized for transport out of the District from all District-authorized wells included in the UWBFV 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.

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



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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.

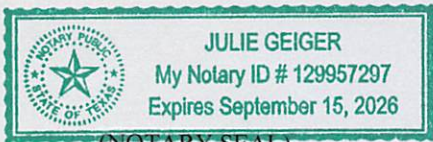
Signature of Applicant (Co-Applicant)

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	BVGCD Permit No.	Pumping Rate (gpm)	Annual Permit Allocation (Acre-Feet)	Total Depth (Approx. ft BGL)	Depth to Screen	Latitude	Longitude
1	BVDO-0385	1,300	1,678	1,145	675	30°54'40.84"N	96°37'18.21"W
2	BVDO-0386	1,700	2,194	1,065	605	30°53'55.10"N	96°38'22.95"W
3	BVDO-0387	1,350	1,742	1,065	605	30°53'38.11"N	96°38'46.50"W
4	BVDO-0388	1,150	1,484	1,085	635	30°54'19.03"N	96°38'23.23"W
5	BVDO-0389	800	1,032	1,100	645	30°54'33.43"N	96°37'43.58"W
Total			8,130				

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 five (5) of RH2O, LLC (RH2O's or Applicant's) authorized wells up to 8,130 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 RH2O 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 RH2O'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., RH2O) 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 8,130 acre-feet per year from the Simsboro Aquifer were presented in the Aquifer Evaluation Report submitted with the RH2O Drilling/Operating Permit Application package (see Thornhill Group, Inc., July 19, 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 RH2O pumping 8,130 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 RH2O property and proposed wells:

GAM Run Estimates

Distance from RH2O Wells	Ranges in Drawdown per Modeled Duration of Pumping		
	1 Year	10 Years	20 Years
1 Mile	27 to 51	32 to 56	37 to 61
5 Miles	6 to 51	9 to 56	12 to 61
10 Miles	0 to 51	1 to 56	2 to 61

Analytical Modeling Estimates

Distance from RH2O Wells	Ranges in Drawdown per Modeled Duration of Pumping		
	1 Year	10 Years	20 Years
1 Mile	60 to 88	66 to 94	87 to 114
5 Miles	40 to 88	46 to 94	66 to 114
10 Miles	28 to 88	34 to 94	54 to 114

Per BVGCD Rule 8.4(b)(B), an evaluation of the effects of the proposed RH2O well pumping of 8,130 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:

- ✓ RH2O well pumping 8,130 acre-feet per year through 2070;
- ✓ RH2O well pumping 8,130 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:

<u>Pumping Scenario</u>	<u>Total Simulated Pumping</u>	<u>Average Drawdown from 2000 to 2070</u>
S-19 (DFC Run)	147,245 acre-feet/year (MAG)	262 feet**
S-19 Plus RH2O	158,108 acre-feet/year*	274 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 RH2O'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 RH2O 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, RH2O 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 RH2O'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

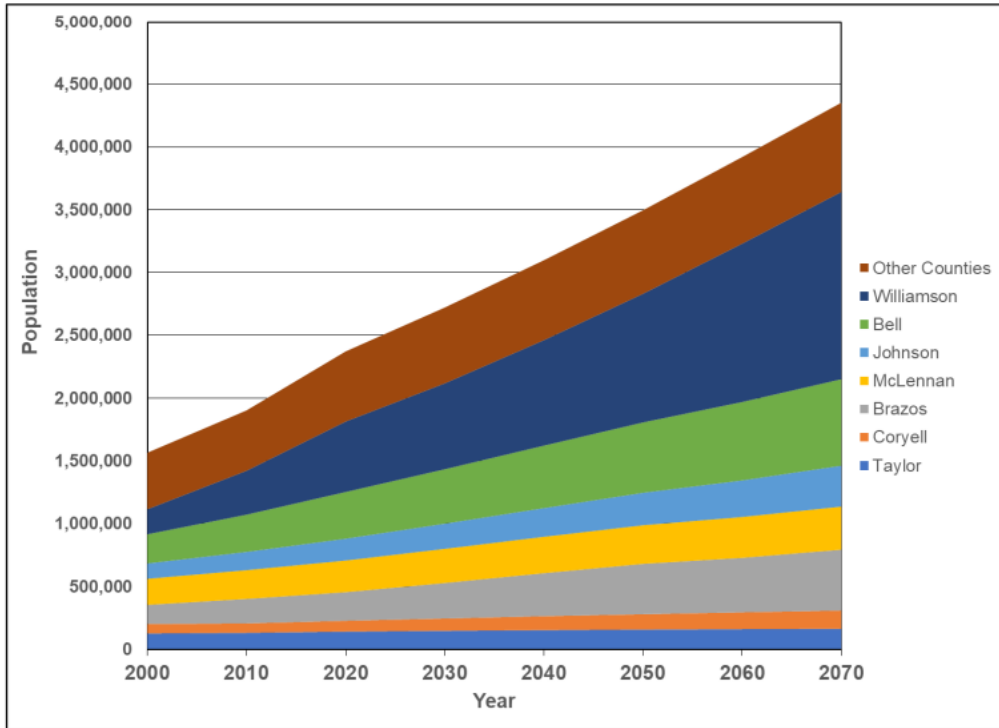
measures will be in accordance with sound engineering practices and applicable law, such as public water system regulations. Also, as required by 31 TAC 358.6 (Water Loss Audits) and summarized by the TWDB, “Currently, all retail public water systems with more than 3,300 connections or a financial obligation 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 and
 - 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

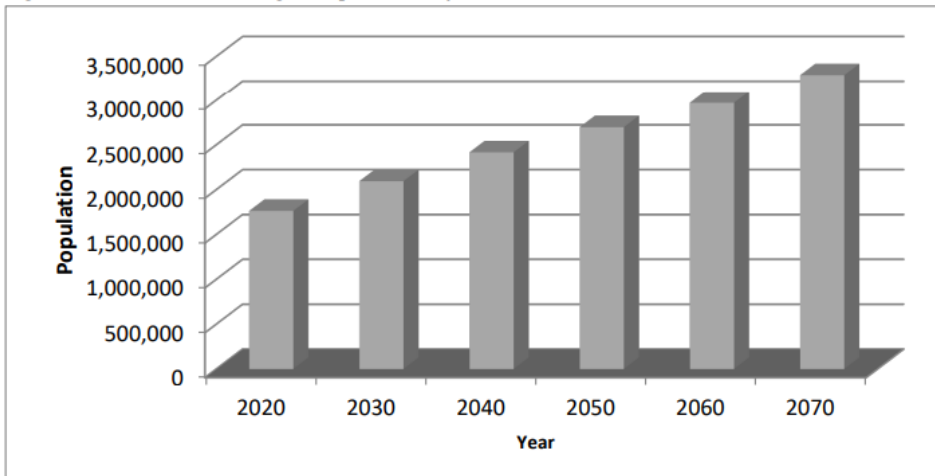
Figure 2-1. Population Projections



2021 LCRWPG WATER PLAN

2-4

Figure 2.1: Lower Colorado Region Population Projections



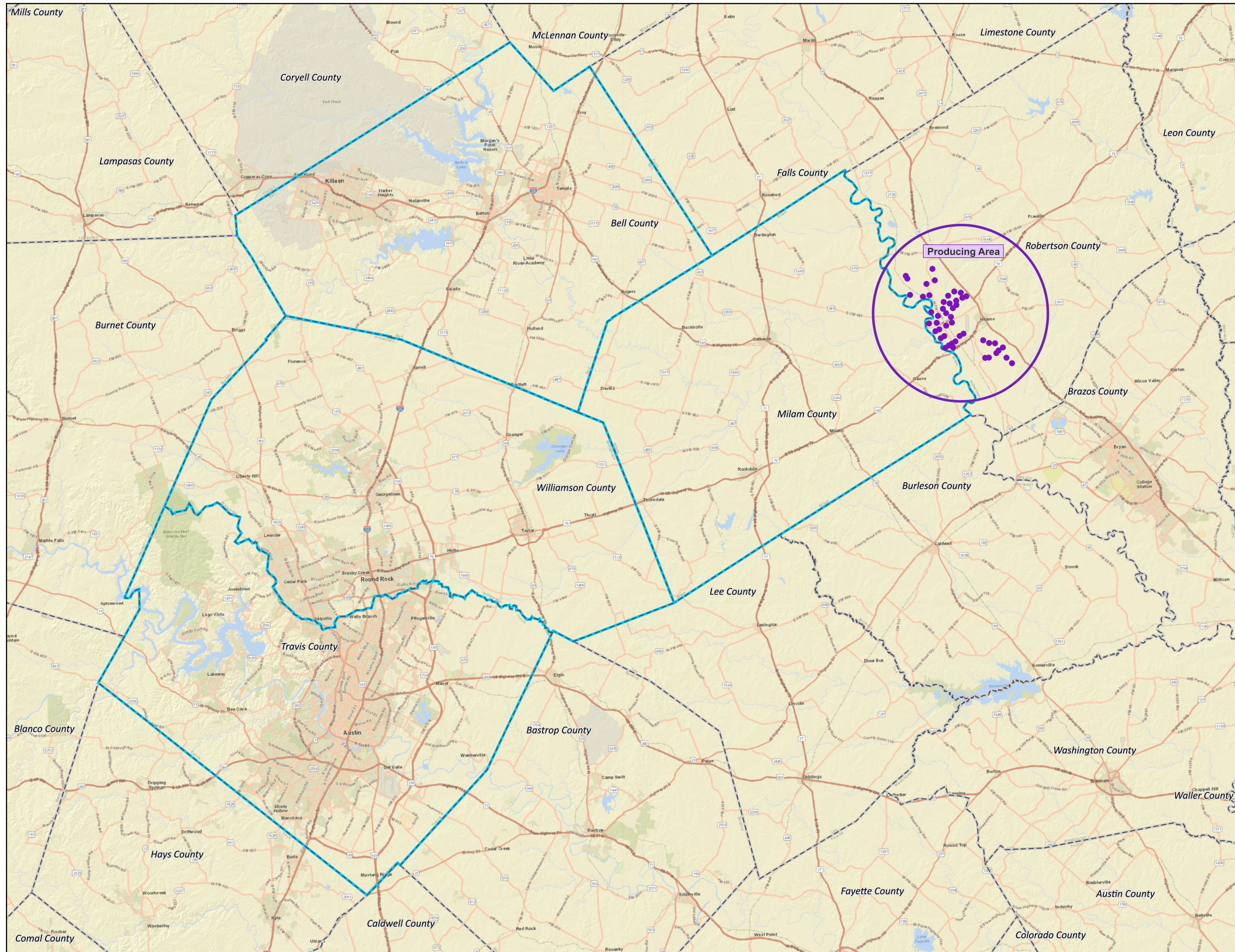
- ✓ County-level Water Supply Plan Summaries are shown at:
 - Williamson County
 - https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.36%20-%20Williamson.pdf
 - Bell County
 - https://brazosgwater.org/Portals/6/Documents/2021-Water-Plan/Final/Volume-I/Chapter-5-County-and-WWP-Plans/2021_BrazosG_5.1%20-%20Bell.pdf
 - 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
 - Travis County
 - 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
 - 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.
- ✓ 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.



- 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>.

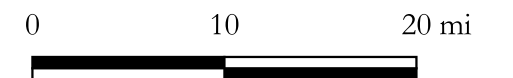
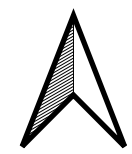
- ✓ Notably, the City has indicated in its IWRP that additional conservation measures are targeted to achieve a 10 percent reduction in the City annual demand.

APPENDIX A



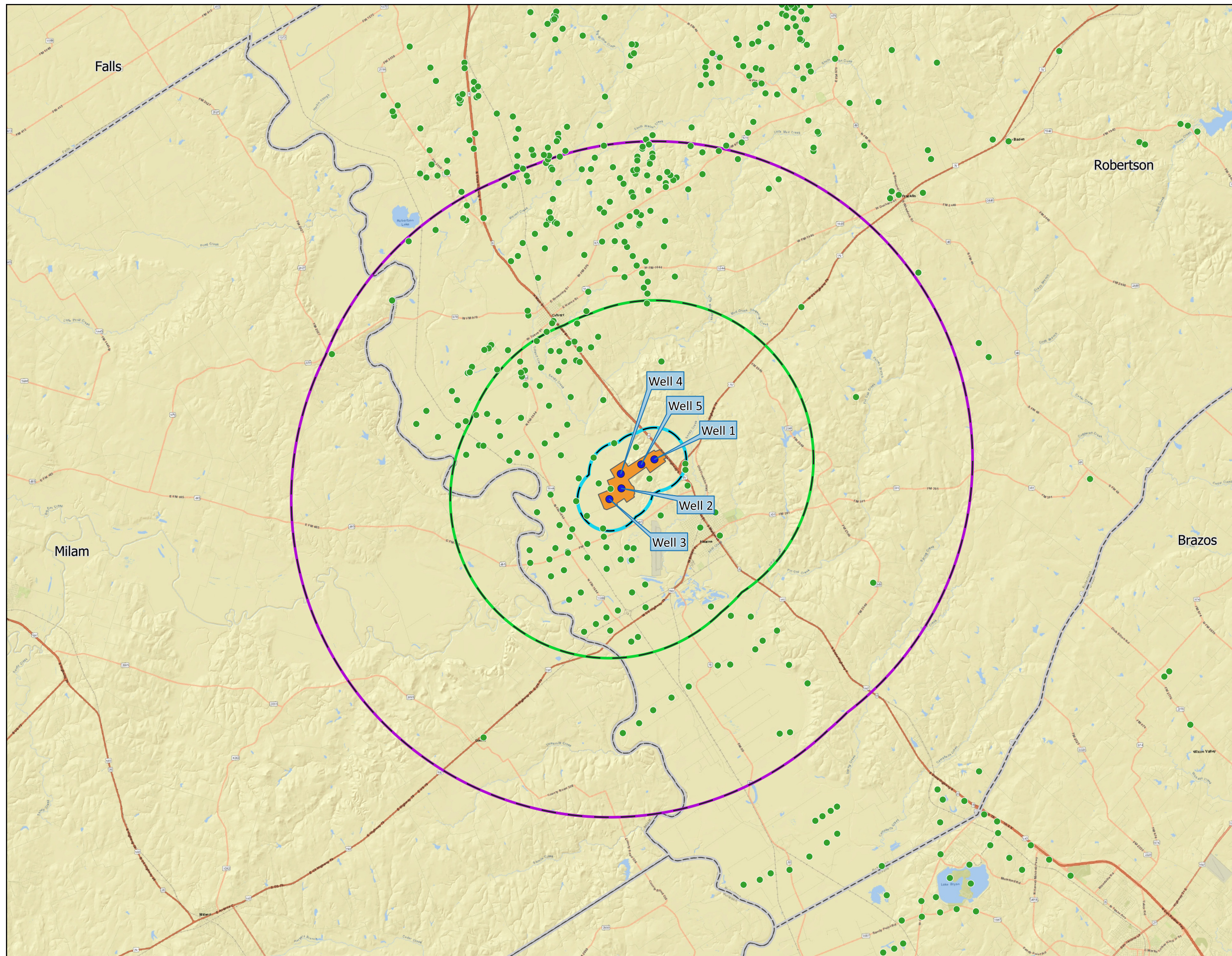
Explanation

- Well Locations
- Counties of Interest
- Counties



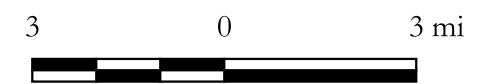
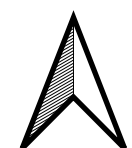
Producing and
Receiving Areas

APPENDIX B



Explanation

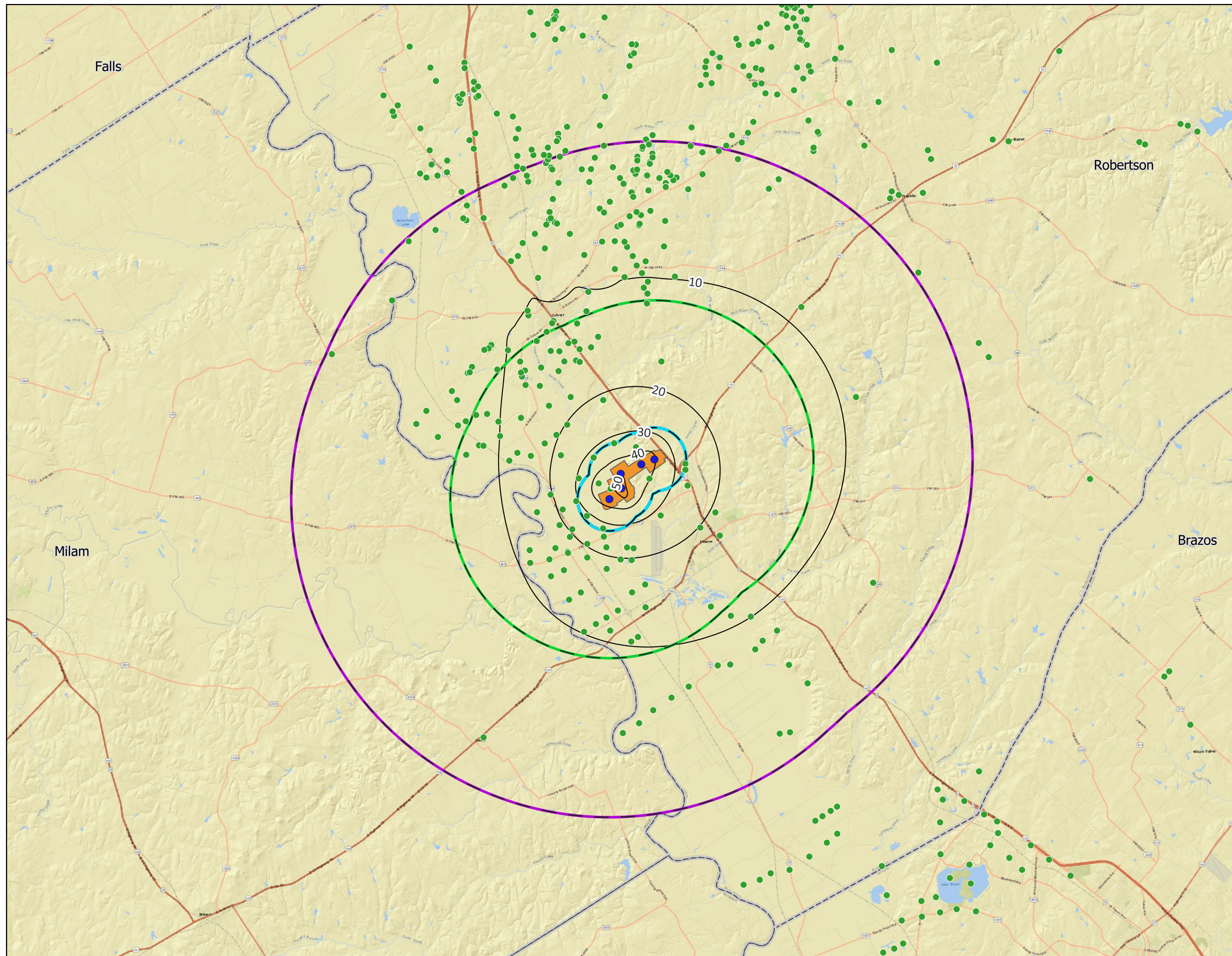
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

Location Map





Explanation

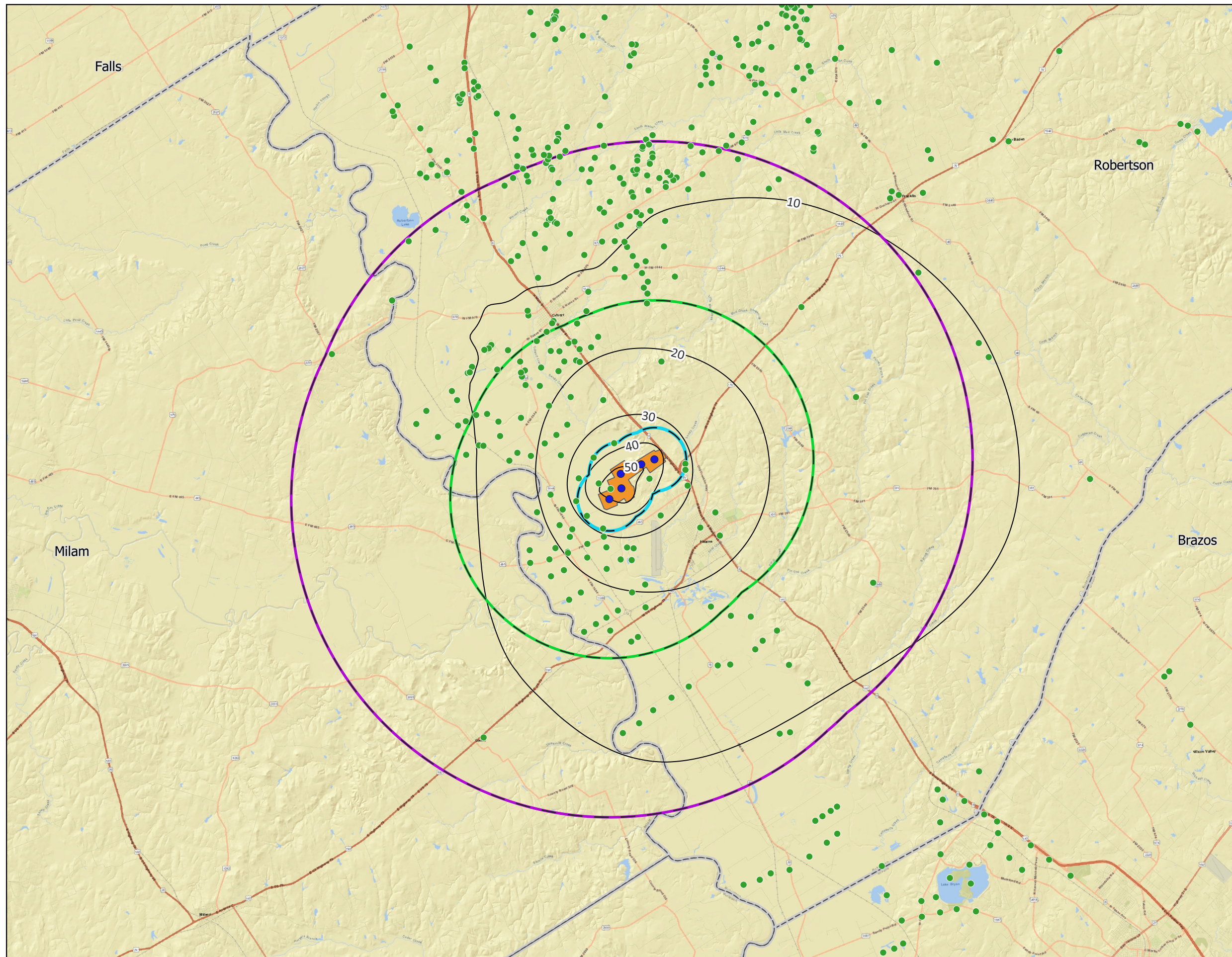
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- 1-Year Modeled Drawdown - GAM Contour Interval = 10 feet
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

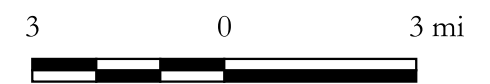
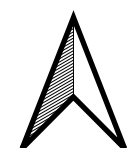
1-Year GAM
Drawdown Contours





Explanation

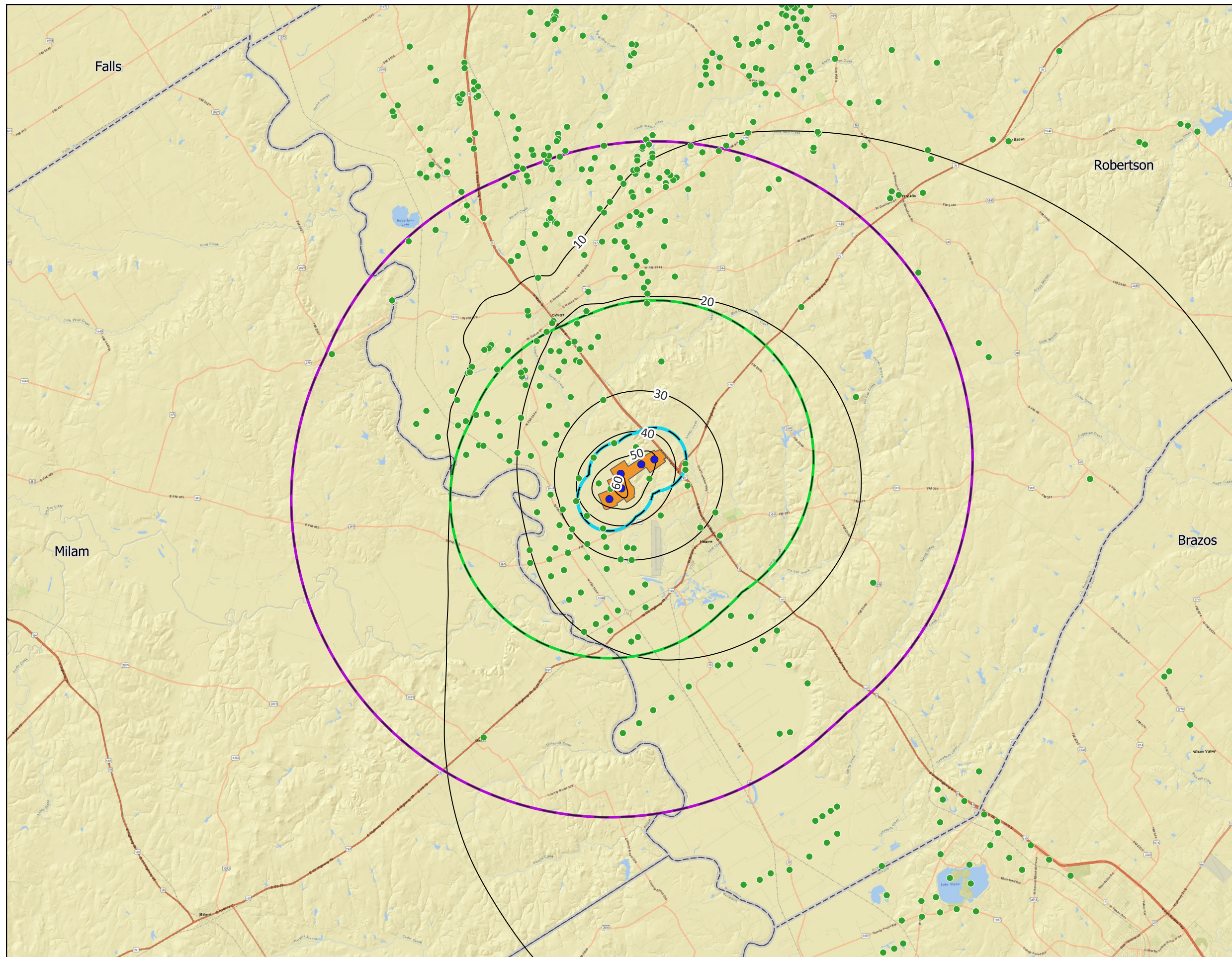
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- 10-Year Modeled Drawdown - GAM Contour Interval = 10 feet
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

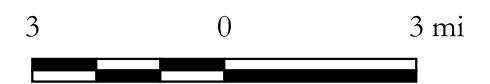
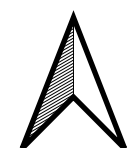
10-Year GAM
Drawdown Contours





Explanation

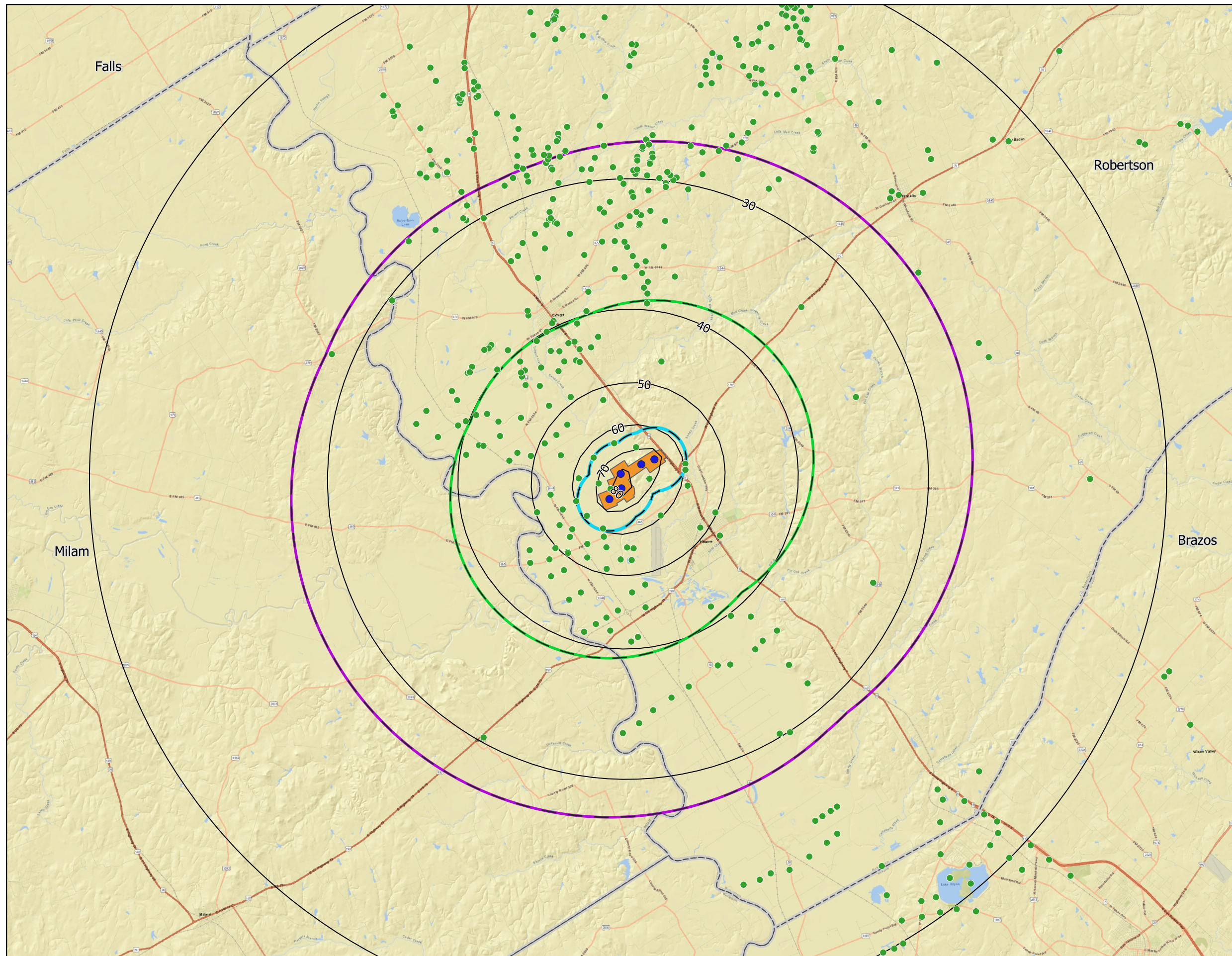
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- 20-Year Modeled Drawdown - GAM Contour Interval = 10 feet
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

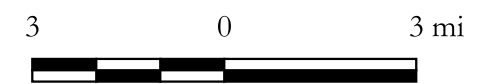
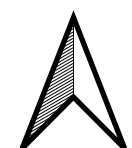
20-Year GAM
Drawdown Contours





Explanation

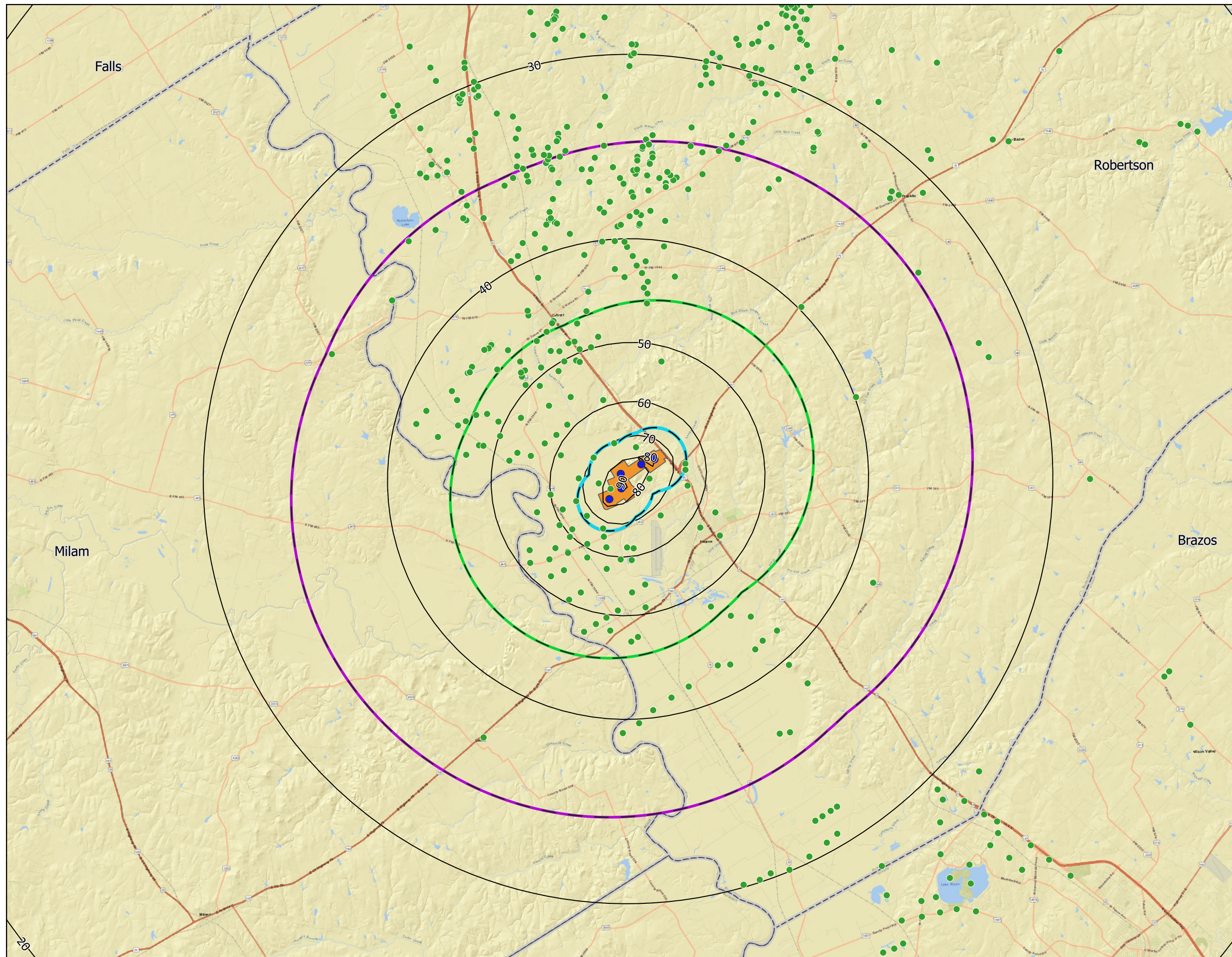
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- 1-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

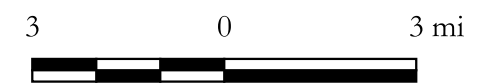
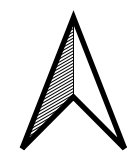
1-Year Analytical Drawdown Contours





Explanation

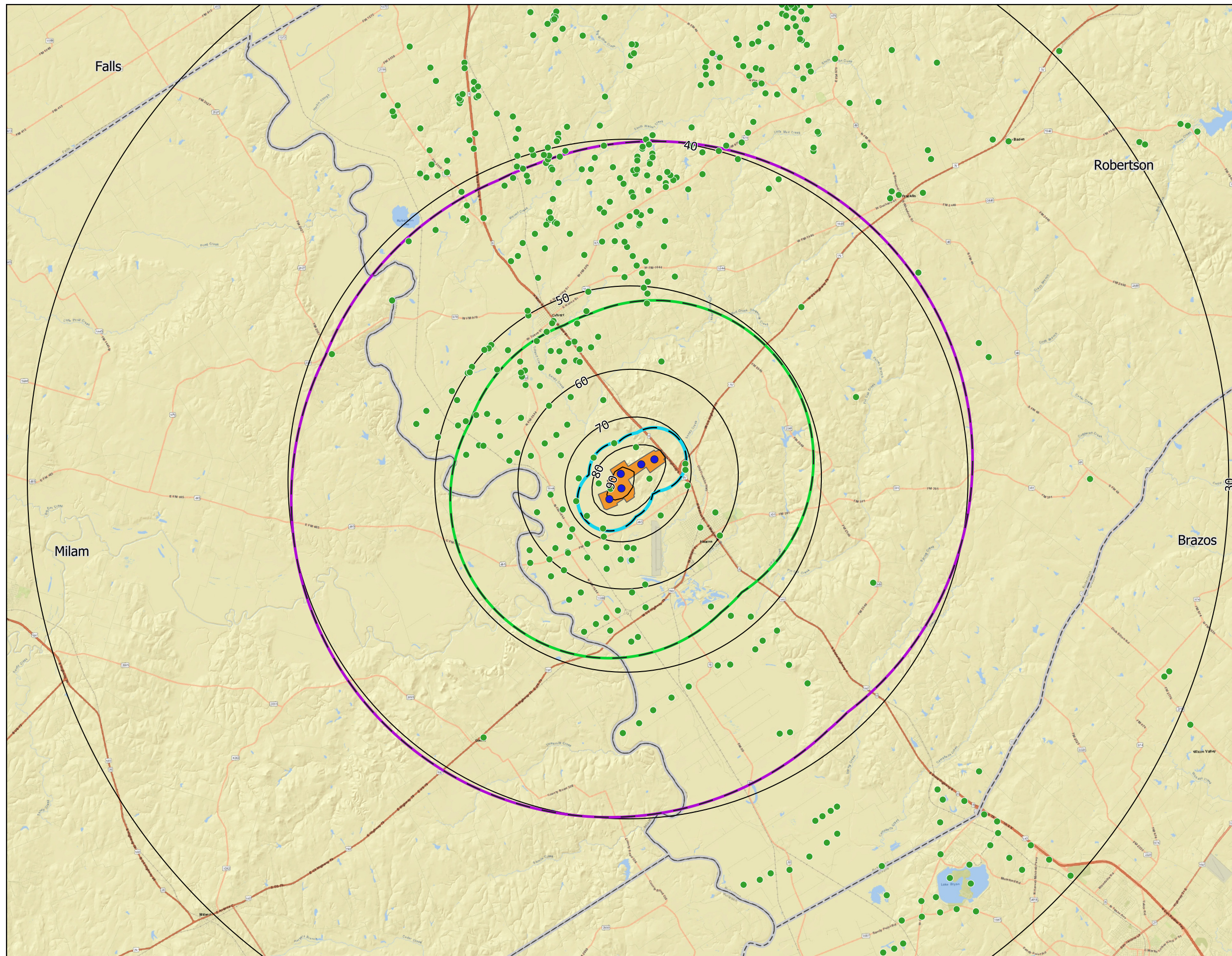
- BVGCD Registered or Permitted Simsboro Well
- RH2O, LLC Permitted Well Location
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- 10-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

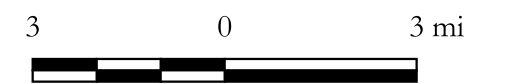
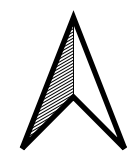
10-Year Analytical Drawdown Contours





Explanation

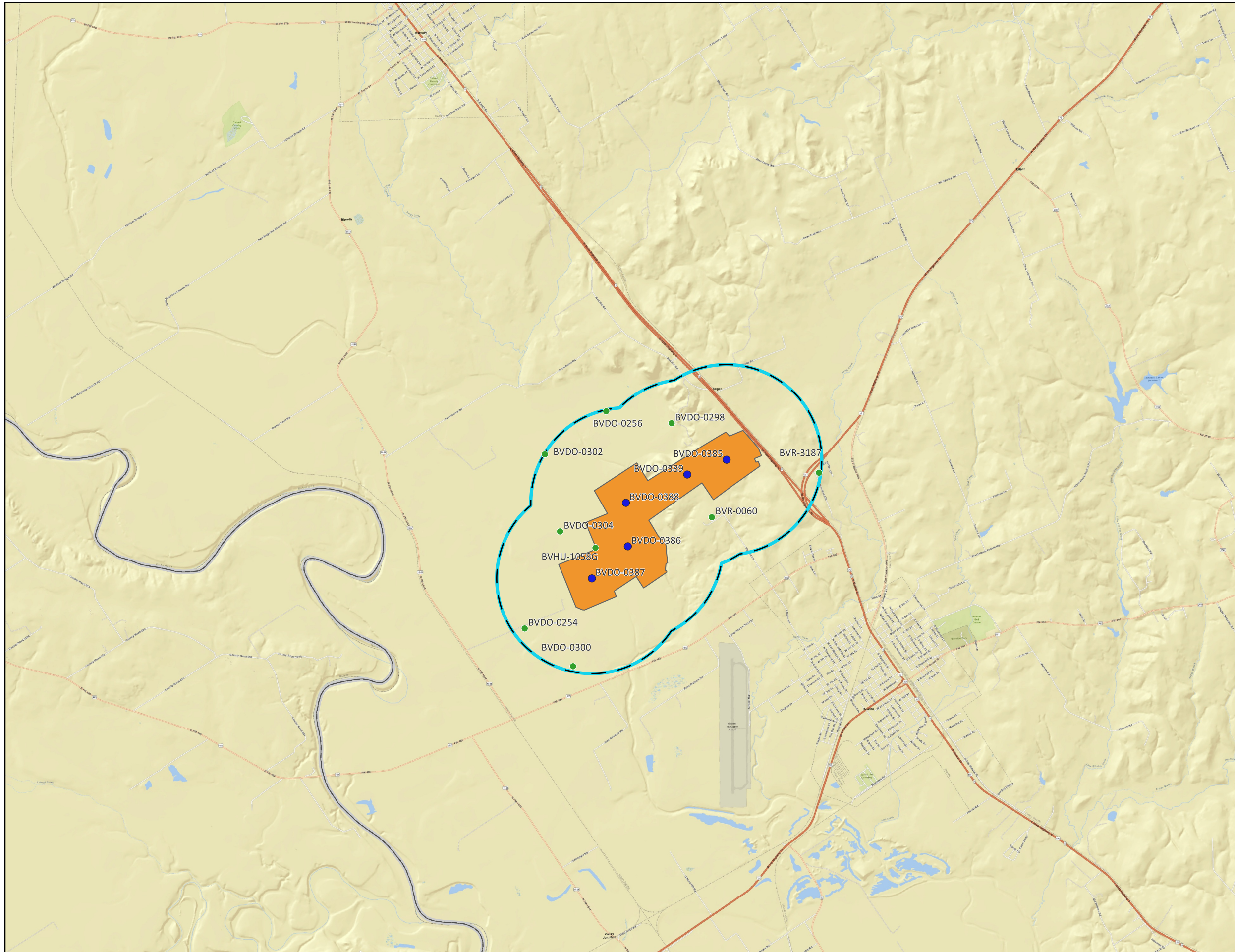
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- RH20, LLC Permitted Well Location
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- 5 Mile Radius from Well Locations
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- 20-Yr Modeled Drawdown - Analytical Contour Interval = 10 feet
- RH20, LLC Property Boundary
- Counties



RH20, LLC

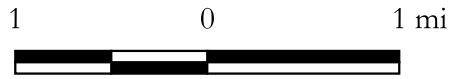
20-Year Analytical Drawdown Contours





Explanation

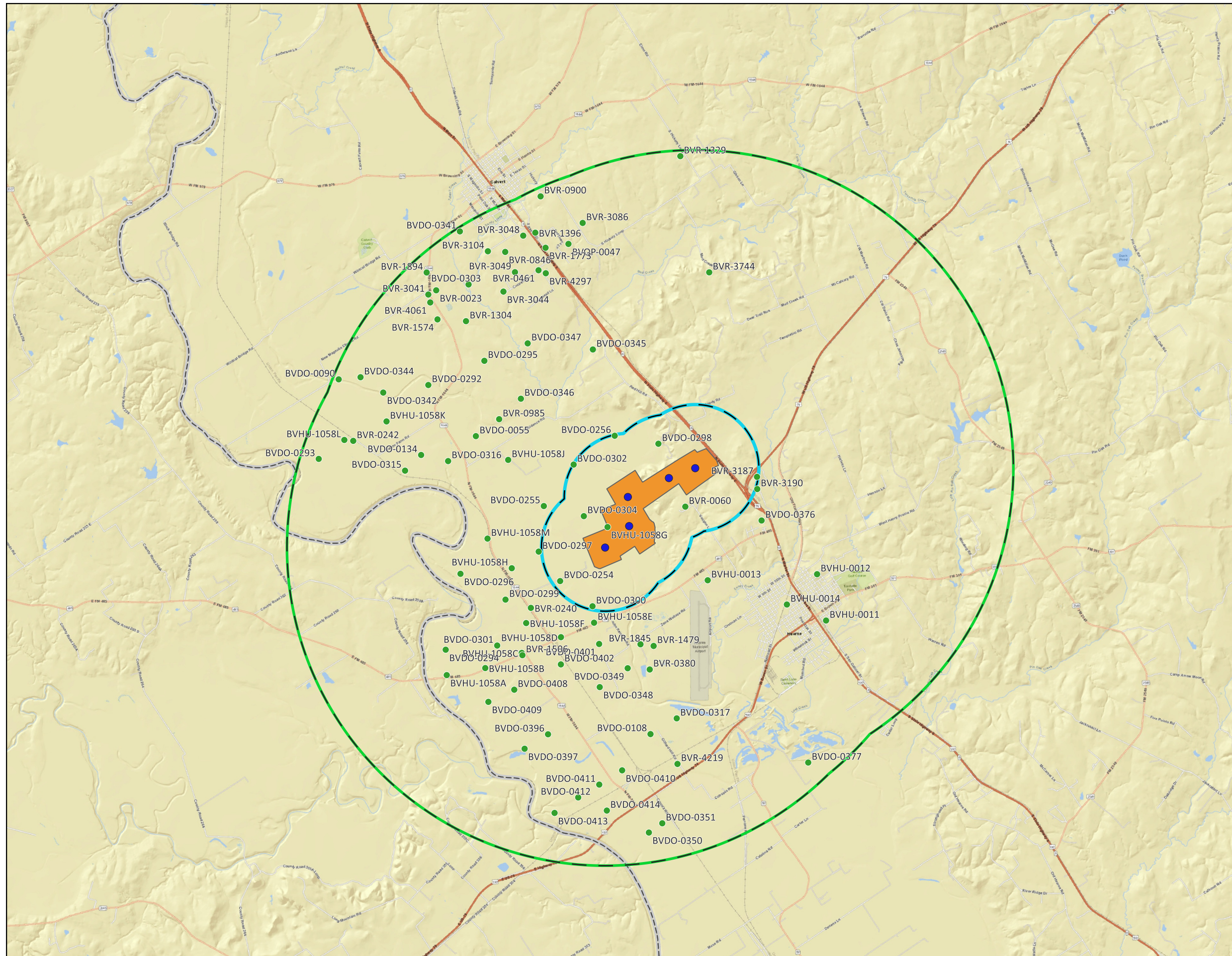
- RH2O, LLC Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Locations
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

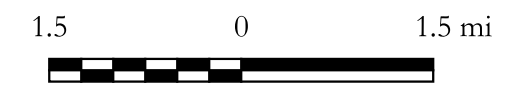
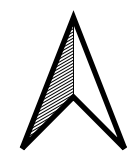
BVGCD Registered and Permitted Well within 1 Miles





Explanation

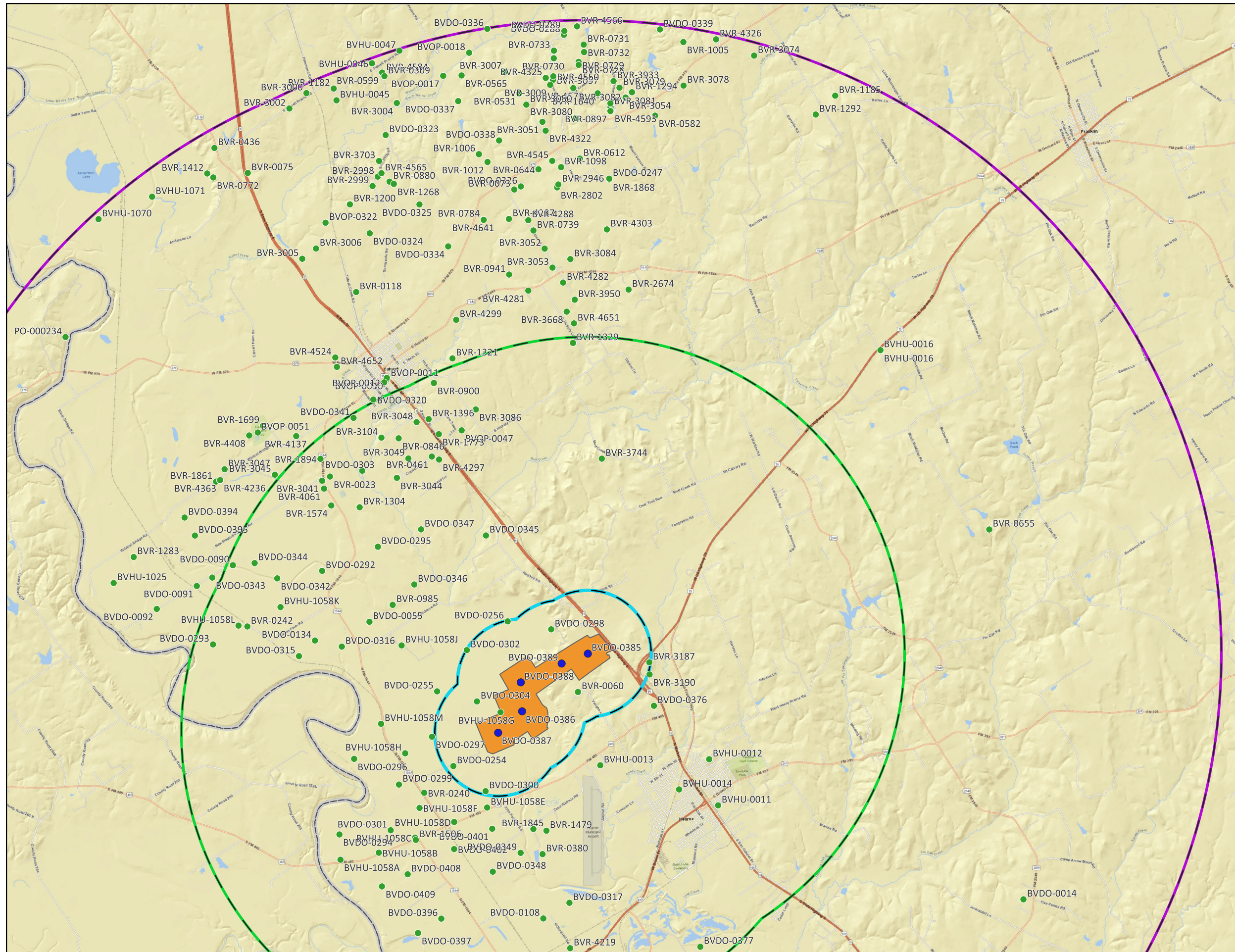
- RH2O, LLC Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

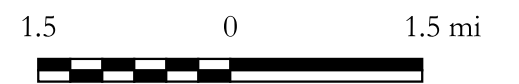
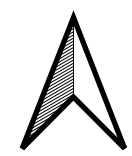
BVGCD Registered and Permitted Well within 5 Miles





Explanation

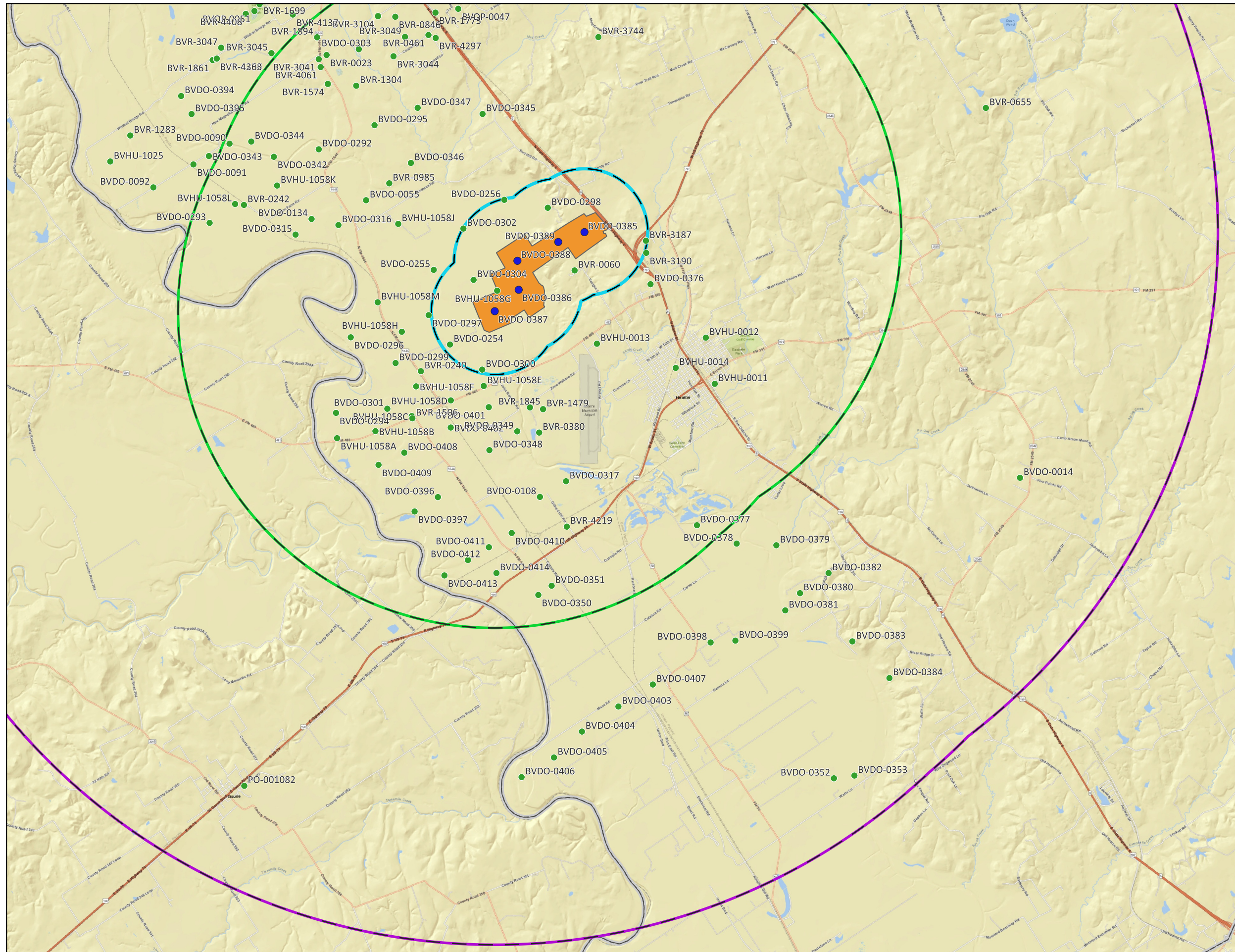
- RH2O, LLC Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

BVGCD Registered and Permitted Well within 10 Miles





Explanation

- RH2O, LLC Permitted Well Location
- BVGCD Registered or Permitted Simsboro Well (as of 01/03/2024)
- 1 Mile Radius from Well Locations
- 5 Mile Radius from Well Locations
- 10 Mile Radius from Well Locations
- RH2O, LLC Property Boundary
- Counties



RH2O, LLC

BVGCD Registered and Permitted Well within 10 Miles



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.
UW Brazos Valley Farm, LLC	BVDO-0298	30.917196	-96.631244		Simsboro		70	76	82	36	41	46
UW Brazos Valley Farm, LLC	BVDO-0300	30.880632	-96.650098		Simsboro		62	68	74	28	32	38
UW Brazos Valley Farm, LLC	BVDO-0302	30.913084	-96.653847		Simsboro		63	70	76	33	37	42
UW Brazos Valley Farm, LLC	BVDO-0304	30.901250	-96.651604		Simsboro		72	78	84	44	49	54
UW Brazos Valley Farm, LLC	BVDO-0254	30.886626	-96.658433	1,205	Simsboro	18	60	67	73	29	33	39
UW Brazos Valley Farm, LLC	BVDO-0256	30.919348	-96.642734	1,225	Simsboro	18	64	70	77	33	37	42
UW Brazos Valley Farm, LLC	BVHU-1058G	30.898588	-96.645434	964	Simsboro	16	77	83	89	49	53	59
Bishop, Robert	BVR-0060	30.902642	-96.624684	1,193	Simsboro	4	71	77	83	41	46	51
Zeig, Larry J.	BVR-3187	30.908888	-96.605462	1,270	Simsboro	4	60	66	73	27	32	37
RH2O LLC	BVDO-0389	30.909286	-96.628772		Simsboro	16	78	84	90	45	49	55
RH2O LLC	BVDO-0385	30.911344	-96.621725		Simsboro		76	82	88	41	46	51
RH2O LLC	BVDO-0386	30.898639	-96.639708		Simsboro		88	94	100	51	56	61
RH2O LLC	BVDO-0387	30.893919	-96.646250		Simsboro		77	83	89	45	49	55
RH2O LLC	BVDO-0388	30.905286	-96.639786		Simsboro		82	88	94	49	54	59

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.
Cula d'Brazos, LLC	BVDO-0408	30.862192	-96.671514		Simsboro		48	54	60	14	18	23
Cula d'Brazos, LLC	BVDO-0410	30.842994	-96.643706		Simsboro		45	51	57	13	18	23
UW Brazos Valley Farm, LLC	BVDO-0292	30.932321	-96.691592		Simsboro		46	52	58	13	16	20
UW Brazos Valley Farm, LLC	BVDO-0297	30.893501	-96.663845		Simsboro		61	67	73	29	33	38
UW Brazos Valley Farm, LLC	BVDO-0299	30.882803	-96.673047		Simsboro		54	60	66	19	23	28
UW Brazos Valley Farm, LLC	BVDO-0301	30.872396	-96.675639		Simsboro		50	56	62	15	19	24
UW Brazos Valley Farm, LLC	BVDO-0298	30.917196	-96.631244		Simsboro		70	76	82	36	41	46
UW Brazos Valley Farm, LLC	BVDO-0300	30.880632	-96.650098		Simsboro		62	68	74	28	32	38
UW Brazos Valley Farm, LLC	BVDO-0302	30.913084	-96.653847		Simsboro		63	70	76	33	37	42
UW Brazos Valley Farm, LLC	BVDO-0303	30.954950	-96.680068		Simsboro		43	49	55	13	17	21
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	53	59	65	19	23	29
UW Brazos Valley Farm, LLC	BVDO-0304	30.901250	-96.651604		Simsboro		72	78	84	44	49	54
UW Brazos Valley Farm, LLC	BVDO-0254	30.886626	-96.658433	1,205	Simsboro	18	60	67	73	29	33	39
Perez, John (Landco Investments)	BVR-0461	30.957669	-96.661438	475	Simsboro	4	45	51	57	15	19	23
UW Brazos Valley Farm, LLC	BVDO-0255	30.903856	-96.662094	1,240	Simsboro	18	61	68	74	31	36	41
UW Brazos Valley Farm, LLC	BVDO-0256	30.919348	-96.642734	1,225	Simsboro	18	64	70	77	33	37	42
UW Brazos Valley Farm, LLC	BVDO-0293	30.916287	-96.721219		Simsboro		40	47	53	6	9	12
UW Brazos Valley Farm, LLC	BVDO-0294	30.871826	-96.689291		Simsboro		47	53	59	12	16	20
UW Brazos Valley Farm, LLC	BVDO-0295	30.937420	-96.676560		Simsboro		47	54	60	16	20	24
UW Brazos Valley Farm, LLC	BVDO-0296	30.889026	-96.684725		Simsboro		51	57	63	15	19	23
UW Brazos Valley Farm, LLC	BVHU-1058B	30.867349	-96.678991	1,090	Simsboro	16	47	53	59	13	17	22
UW Brazos Valley Farm, LLC	BVHU-1058D	30.873824	-96.658706	1,131	Simsboro	16	54	60	66	20	25	30
UW Brazos Valley Farm, LLC	BVHU-1058J	30.914647	-96.671122	875	Simsboro	16	56	62	68	22	26	31
UW Brazos Valley Farm, LLC	BVHU-1058L	30.920417	-96.714283	691	Simsboro	16	42	48	54	8	10	14
UW Brazos Valley Farm, LLC	BVHU-1058A	30.866028	-96.689233	1,095	Simsboro	16	45	52	58	11	15	20
UW Brazos Valley Farm, LLC	BVHU-1058C	30.870527	-96.669211	1,100	Simsboro	16	51	57	63	16	21	26
UW Brazos Valley Farm, LLC	BVHU-1058K	30.924333	-96.702966	720	Simsboro	16	44	50	56	10	13	17

UW Brazos Valley Farm, LLC	BVHU-1058E	30.876867	-96.649833	1,175	Simsboro	16	58	64	70	25	29	35
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	53	59	65	19	23	29
UW Brazos Valley Farm, LLC	BVHU-1058G	30.898588	-96.645434	964	Simsboro	16	77	83	89	49	53	59
UW Brazos Valley Farm, LLC	BVHU-1058H	30.889917	-96.671117	979	Simsboro	16	56	62	68	22	26	31
UW Brazos Valley Farm, LLC	BVHU-1058M	30.896850	-96.677267	930	Simsboro	16	53	59	65	20	24	28
Cula d'Brazos, LLC	BVDO-0412	30.837139	-96.655553		Simsboro		43	49	55	11	16	21
Cula d'Brazos, LLC	BVDO-0413	30.833783	-96.661933		Simsboro		41	48	54	10	15	20
Cula d'Brazos, LLC	BVDO-0414	30.833933	-96.648103		Simsboro		42	48	54	11	16	21
Cula d'Brazos, LLC	BVDO-0409	30.859611	-96.678461		Simsboro		45	51	58	12	17	22
Cula d'Brazos, LLC	BVDO-0411	30.839914	-96.649878		Simsboro		44	50	56	12	17	22
Cula d'Brazos, LLC	BVR-1506	30.870004	-96.669059	1,250	Simsboro	2	51	57	63	16	20	25
Closs, Barry	BVR-0900	30.974503	-96.660242	590	Simsboro	4	40	47	53	13	17	21
Bishop, Robert	BVR-0060	30.902642	-96.624684	1,193	Simsboro	4	71	77	83	41	46	51
Ryan, Sandra & Melvin	BVR-0380	30.865784	-96.635523	1,100	Simsboro	4	53	59	65	20	25	30
Wenger, Joshua R. & Megan	BVR-1396	30.966263	-96.661960	660	Simsboro	4	43	49	55	13	18	22
Epps, Frank N.	BVOP-0047	30.963447	-96.653288	660	Simsboro	4	43	50	56	14	19	23
UW Brazos Valley Farm, LLC	BVR-0240	30.880729	-96.666403	1,065	Simsboro	4	54	60	67	21	25	30
UW Brazos Valley Farm, LLC	BVR-0242	30.920143	-96.711938	610	Simsboro	4	43	49	55	8	11	14
Siegert, Rick & Sheri	BVR-3744	30.955897	-96.616290	880	Simsboro	4	46	52	58	16	21	26
Deason, Jack	BVR-0023	30.953863	-96.688686	510	Simsboro	4	42	49	55	12	15	19
City Of Hearne	BVHU-0011	30.875602	-96.588473	1,433	Simsboro	14	48	54	60	17	22	28
City Of Hearne	BVDO-0376	30.898904	-96.604637		Simsboro		57	63	70	26	31	36
City Of Hearne	BVHU-0012	30.886238	-96.590434	1,430	Simsboro	12	51	57	63	19	25	30
City Of Hearne	BVHU-0013	30.885689	-96.619408	1,441	Simsboro	10	60	66	73	28	33	38
City Of Hearne	BVHU-0014	30.879554	-96.598692	1,450	Simsboro	12	52	58	64	20	25	31
Skiles, Clifford III	BVDO-0108	30.851042	-96.635889	1,242	Simsboro	16	47	53	59	15	20	25
Skiles, Clifford III	BVDO-0317	30.854431	-96.628822		Simsboro		48	54	60	16	21	26
Sandra Ryan & Bernadette Sloat	BVR-0985	30.924003	-96.673151	735	Simsboro	4	52	58	64	20	24	28
Sandra Ryan & Bernadette Sloat	BVDO-0090	30.934280	-96.715252	656	Simsboro	16	41	47	53	7	10	13
Sandra Ryan & Bernadette Sloat	BVDO-0055	30.920309	-96.679458	840	Simsboro	16	51	57	63	18	22	26
Lopez, Claude & Karen	BVR-3086	30.968125	-96.649345	627	Simsboro	4	43	49	55	14	18	22
Flemings, Nancy	BVR-1894	30.957995	-96.691058	515	Simsboro	4	41	47	53	11	15	18
Bland, Andy	BVR-1304	30.946604	-96.681069	560	Simsboro	4	45	51	57	14	17	21
Zeig, Joseph & Marian	BVR-1479	30.871119	-96.634288	1,080	Simsboro	4	56	62	68	22	27	32
Denena, Leon A. Jr	BVR-1574	30.947221	-96.688598	530	Simsboro	4	43	49	55	12	16	19
Triple C Ranch	BVR-0846	30.962101	-96.670091	590	Simsboro	4	43	49	55	13	17	21
Brien, James C.	BVDO-0316	30.914826	-96.687016		Simsboro	18	50	56	62	15	19	23
Brien, James C.	BVDO-0315	30.912966	-96.698488		Simsboro	18	46	52	58	12	15	19
Brien, James C.	BVDO-0134	30.916421	-96.694104	778	Simsboro	16	47	53	59	13	16	20
L. Wiese Moore, LLC	BVDO-0401	30.871983	-96.648675		Simsboro		56	62	68	22	26	32
L. Wiese Moore, LLC	BVDO-0402	30.867614	-96.658967		Simsboro		52	58	65	18	23	28
Garcia, Maximiliano	BVR-4061	30.951138	-96.690366	450	Simsboro	4	42	49	55	12	15	19
Cangemi, Sammy	BVR-4219	30.844030	-96.629023	1,142	Simsboro	4	45	51	57	13	18	24
Calvert Livestock, Inc.	BVR-3048	30.965672	-96.665187	667	Simsboro	4	42	49	55	13	18	22
Mears, Jeffrey L.	BVR-3049	30.957407	-96.667688	620	Simsboro	4	44	50	56	14	18	22
Zeig, Larry J.	BVR-3187	30.908888	-96.605462	1,270	Simsboro	4	60	66	73	27	32	37
Ely Family Partnership	BVDO-0377	30.843353	-96.594456		Simsboro		42	48	54	12	17	23

Wallace, Virginia	BVR-1845	30.871602	-96.637746	1,100	Simsboro	4	56	62	68	22	27	33
Morrison, David & Connie	BVR-1329	30.982614	-96.622909	605	Simsboro	4	40	46	52	12	16	21
Grimes, Coylin & Diane	BVR-4297	30.956929	-96.659539	668	Simsboro	4	45	51	57	15	19	23
Amos, David	BVR-1773	30.962742	-96.659380	720	Simsboro	4	44	50	56	14	18	22
New Magnolia Baptist Church	BVR-3041	30.952959	-96.690806	461	Simsboro	4	42	49	55	11	15	19
Corpora Farms	BVDO-0341	30.967123	-96.681905		Simsboro		41	47	53	12	16	19
Corpora Farms	BVDO-0348	30.862142	-96.648896		Simsboro		51	57	63	17	22	28
Corpora Farms	BVDO-0350	30.828601	-96.637179		Simsboro		40	47	53	10	15	21
Corpora Farms	BVDO-0342	30.930936	-96.703584		Simsboro		43	50	56	10	13	16
Corpora Farms	BVDO-0347	30.941075	-96.664942		Simsboro		49	55	61	18	22	26
Corpora Farms	BVDO-0349	30.866236	-96.641341		Simsboro		53	59	65	20	24	30
Corpora Farms	BVDO-0351	30.830612	-96.633565		Simsboro		41	47	53	11	16	21
Naranjo, Audencio	BVR-3104	30.962380	-96.674672	460	Simsboro	4	42	48	54	13	17	21
Swaner, Ronald & Elizabeth	BVR-3190	30.906117	-96.605510	1,225	Simsboro	4	60	66	73	27	32	37
Howard, Shirley J.	BVR-3044	30.953064	-96.670912	660	Simsboro	4	45	51	57	14	18	22
Corpora Farms	BVDO-0344	30.934607	-96.709457	460	Simsboro		41	48	54	9	12	15
Corpora Farms	BVDO-0345	30.939189	-96.647752		Simsboro		52	58	64	21	26	30
Corpora Farms	BVDO-0346	30.928505	-96.667226	400	Simsboro		53	59	66	20	24	29
RH2O LLC	BVDO-0389	30.909286	-96.628772	560	Simsboro	16	78	84	88	45	49	55
RH2O LLC	BVDO-0385	30.911344	-96.621725	1,242	Simsboro	16	76	82	87	41	46	51
RH2O LLC	BVDO-0386	30.898639	-96.639708	420	Simsboro	4	88	94	114	51	56	61
RH2O LLC	BVDO-0387	30.893919	-96.646250		Simsboro		77	83	103	45	49	55
RH2O LLC	BVDO-0388	30.905286	-96.639786	735	Simsboro	4	82	88	109	49	54	59
Fazzino Investments LP	BVDO-0396	30.851775	-96.662976	656	Simsboro	16	46	52	72	13	18	23
Fazzino Investments LP	BVDO-0397	30.848652	-96.669293	565	Simsboro	16	44	50	71	12	16	22

Table 10. 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	29	35	41	0	1	2
Burke, John	BVR-0739	31.008676	-96.632443	500	Simsboro	4	34	41	47	7	11	15
Sessums, Billy D.	BVR-4584	31.045836	-96.671180	386	Simsboro	4	29	35	41	0	3	8
Sessums, Billy D.	BVR-0599	31.045985	-96.671280		Simsboro	4	29	35	41	0	3	8
Sessums, Billy D.	BVR-0309	31.045136	-96.670716	450	Simsboro	4	29	35	41	0	3	8
	PO-000234	30.987777	-96.757777	417	Simsboro		30	36	42	0	1	2
	PO-001082	30.787104	-96.716877	992	Simsboro		30	37	43	3	7	12
Calvert Country Club	BVR-1699	30.966001	-96.706046	420	Simsboro	4	38	44	50	9	12	16
Calvert Country Club	BVOP-0051	30.964488	-96.707485	440	Simsboro	4	38	44	50	9	12	15
Cula d'Brazos, LLC	BVDO-0408	30.862192	-96.671514		Simsboro		48	54	60	14	18	23
Cula d'Brazos, LLC	BVDO-0410	30.842994	-96.643706		Simsboro		45	51	57	13	18	23
UW Brazos Valley Farm, LLC	BVDO-0292	30.932321	-96.691592		Simsboro		46	52	58	13	16	20
UW Brazos Valley Farm, LLC	BVDO-0297	30.893501	-96.663845		Simsboro		61	67	73	29	33	38
UW Brazos Valley Farm, LLC	BVDO-0299	30.882803	-96.673047		Simsboro		54	60	66	19	23	28
UW Brazos Valley Farm, LLC	BVDO-0301	30.872396	-96.675639		Simsboro		50	56	62	15	19	24
UW Brazos Valley Farm, LLC	BVDO-0298	30.917196	-96.631244		Simsboro		70	76	82	36	41	46
UW Brazos Valley Farm, LLC	BVDO-0300	30.880632	-96.650098		Simsboro		62	68	74	28	32	38
UW Brazos Valley Farm, LLC	BVDO-0302	30.913084	-96.653847		Simsboro		63	70	76	33	37	42
UW Brazos Valley Farm, LLC	BVDO-0303	30.954950	-96.680068		Simsboro		43	49	55	13	17	21
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	53	59	65	19	23	29
UW Brazos Valley Farm, LLC	BVDO-0304	30.901250	-96.651604		Simsboro		72	78	84	44	49	54
UW Brazos Valley Farm, LLC	BVDO-0254	30.886626	-96.658433	1,205	Simsboro	18	60	67	73	29	33	39
Perez, John (Landco Investments)	BVR-0461	30.957669	-96.661438	475	Simsboro	4	45	51	57	15	19	23
Cook, Julius & Betty	BVR-0612	31.024778	-96.619464	460	Simsboro	4	32	38	44	5	9	13
UW Brazos Valley Farm, LLC	BVDO-0255	30.903856	-96.662094	1,240	Simsboro	18	61	68	74	31	36	41
UW Brazos Valley Farm, LLC	BVDO-0256	30.919348	-96.642734	1,225	Simsboro	18	64	70	77	33	37	42
UW Brazos Valley Farm, LLC	BVDO-0293	30.916287	-96.721219		Simsboro		40	47	53	6	9	12
UW Brazos Valley Farm, LLC	BVDO-0294	30.871826	-96.689291		Simsboro		47	53	59	12	16	20
UW Brazos Valley Farm, LLC	BVDO-0295	30.937420	-96.676560		Simsboro		47	54	60	16	20	24
UW Brazos Valley Farm, LLC	BVDO-0296	30.889026	-96.684725		Simsboro		51	57	63	15	19	23
UW Brazos Valley Farm, LLC	BVHU-1058B	30.867349	-96.678991	1,090	Simsboro	16	47	53	59	13	17	22
UW Brazos Valley Farm, LLC	BVHU-1058D	30.873824	-96.658706	1,131	Simsboro	16	54	60	66	20	25	30

UW Brazos Valley Farm, LLC	BVHU-1058J	30.914647	-96.671122	875	Simsboro	16	56	62	68	22	26	31
UW Brazos Valley Farm, LLC	BVHU-1058L	30.920417	-96.714283	691	Simsboro	16	42	48	54	8	10	14
UW Brazos Valley Farm, LLC	BVHU-1058A	30.866028	-96.689233	1,095	Simsboro	16	45	52	58	11	15	20
UW Brazos Valley Farm, LLC	BVHU-1058C	30.870527	-96.669211	1,100	Simsboro	16	51	57	63	16	21	26
UW Brazos Valley Farm, LLC	BVHU-1058K	30.924333	-96.702966	720	Simsboro	16	44	50	56	10	13	17
UW Brazos Valley Farm, LLC	BVHU-1058E	30.876867	-96.649833	1,175	Simsboro	16	58	64	70	25	29	35
UW Brazos Valley Farm, LLC	BVHU-1058F	30.877300	-96.667783	1,065	Simsboro	16	53	59	65	19	23	29
UW Brazos Valley Farm, LLC	BVHU-1058G	30.898588	-96.645434	964	Simsboro	16	77	83	89	49	53	59
UW Brazos Valley Farm, LLC	BVHU-1058H	30.889917	-96.671117	979	Simsboro	16	56	62	68	22	26	31
UW Brazos Valley Farm, LLC	BVHU-1058M	30.896850	-96.677267	930	Simsboro	16	53	59	65	20	24	28
Maria L. Reistino Estate	BVDO-0092	30.924837	-96.735858	530	Simsboro	16	37	43	49	4	6	8
Sun Love, LLC	BVR-0728	31.046946	-96.618931	524	Simsboro	4	29	35	41	2	7	10
Cula d'Brazos, LLC	BVDO-0412	30.837139	-96.655553		Simsboro		43	49	55	11	16	21
Cula d'Brazos, LLC	BVDO-0413	30.833783	-96.661933		Simsboro		41	48	54	10	15	20
Cula d'Brazos, LLC	BVDO-0414	30.833933	-96.648103		Simsboro		42	48	54	11	16	21
Cula d'Brazos, LLC	BVDO-0409	30.859611	-96.678461		Simsboro		45	51	58	12	17	22
Cula d'Brazos, LLC	BVDO-0411	30.839914	-96.649878		Simsboro		44	50	56	12	17	22
Cula d'Brazos, LLC	BVR-1506	30.870004	-96.669059	1,250	Simsboro	2	51	57	63	16	20	25
Closs, Barry	BVR-0900	30.974503	-96.660242	590	Simsboro	4	40	47	53	13	17	21
Sun Love, LLC	BVR-0729	31.046250	-96.618939	508	Simsboro	4	29	35	41	2	7	10
Bishop, Robert	BVR-0060	30.902642	-96.624684	1,193	Simsboro	4	71	77	83	41	46	51
Ryan, Sandra & Melvin	BVR-0380	30.865784	-96.635523	1,100	Simsboro	4	53	59	65	20	25	30
McInnes, Diane	BVR-1098	31.022963	-96.624528	540	Simsboro	4	32	38	45	5	9	13
McInnes, Diane	BVR-4545	31.024475	-96.626825	440	Simsboro	4	32	38	44	4	8	12
Wellborn Special Utility District	BVDO-0014	30.851710	-96.508264	2,020	Simsboro	16	32	38	44	6	12	18
Andrew, David	BVR-1640	31.039596	-96.614130	430	Simsboro	4	30	36	42	3	8	11
Vo, David	BVR-0731	31.050852	-96.617426	520	Simsboro	4	29	35	41	2	6	10
Vo, David	BVR-0732	31.049137	-96.617379	520	Simsboro	4	29	35	41	2	6	10
Wenger, Joshua R. & Megan	BVR-1396	30.966263	-96.661960	660	Simsboro	4	43	49	55	13	18	22
Ballard, Brenda	BVR-1185	31.037219	-96.550978	700	Simsboro	4	28	34	40	5	9	13
Davis, Bob	BVR-1200	31.016041	-96.681010	483	Simsboro	4	32	38	44	0	4	8
Major Oak Power, LLC	BVHU-0047	31.050864	-96.666494	1,076	Simsboro	18	28	34	41	0	3	8
Major Oak Power, LLC	BVHU-0045	31.039972	-96.683673	999	Simsboro	18	29	35	41	0	2	7
Major Oak Power, LLC	BVHU-0046	31.048181	-96.673917	1,077	Simsboro	18	29	35	41	0	3	8
Epps, Frank N.	BVOP-0047	30.963447	-96.653288	660	Simsboro	4	43	50	56	14	19	23
UW Brazos Valley Farm, LLC	BVR-0240	30.880729	-96.666403	1,065	Simsboro	4	54	60	67	21	25	30
UW Brazos Valley Farm, LLC	BVR-0242	30.920143	-96.711938	610	Simsboro	4	43	49	55	8	11	14
Fazzino, Lee Jr.	BVR-1283	30.936893	-96.741546	460	Simsboro	4	36	42	48	2	4	6
City of Calvert	BVDO-0320	30.971170	-96.676495		Simsboro	12	40	46	52	12	16	20
City of Calvert	BVOP-0011	30.975810	-96.672639	738	Simsboro		40	46	52	12	16	20
City of Calvert	BVOP-0010	30.976010	-96.672707	683	Simsboro	16	40	46	52	12	16	20
City of Calvert	BVOP-0012	30.975021	-96.673458	661	Simsboro	16	40	46	52	12	16	20
Fazzino, Lee Jr.	BVHU-1025	30.931082	-96.747085	580	Simsboro	16	36	42	48	2	3	5
Lastor, Seth T.	BVR-0644	31.022636	-96.630562	480	Simsboro	4	32	38	45	4	8	12

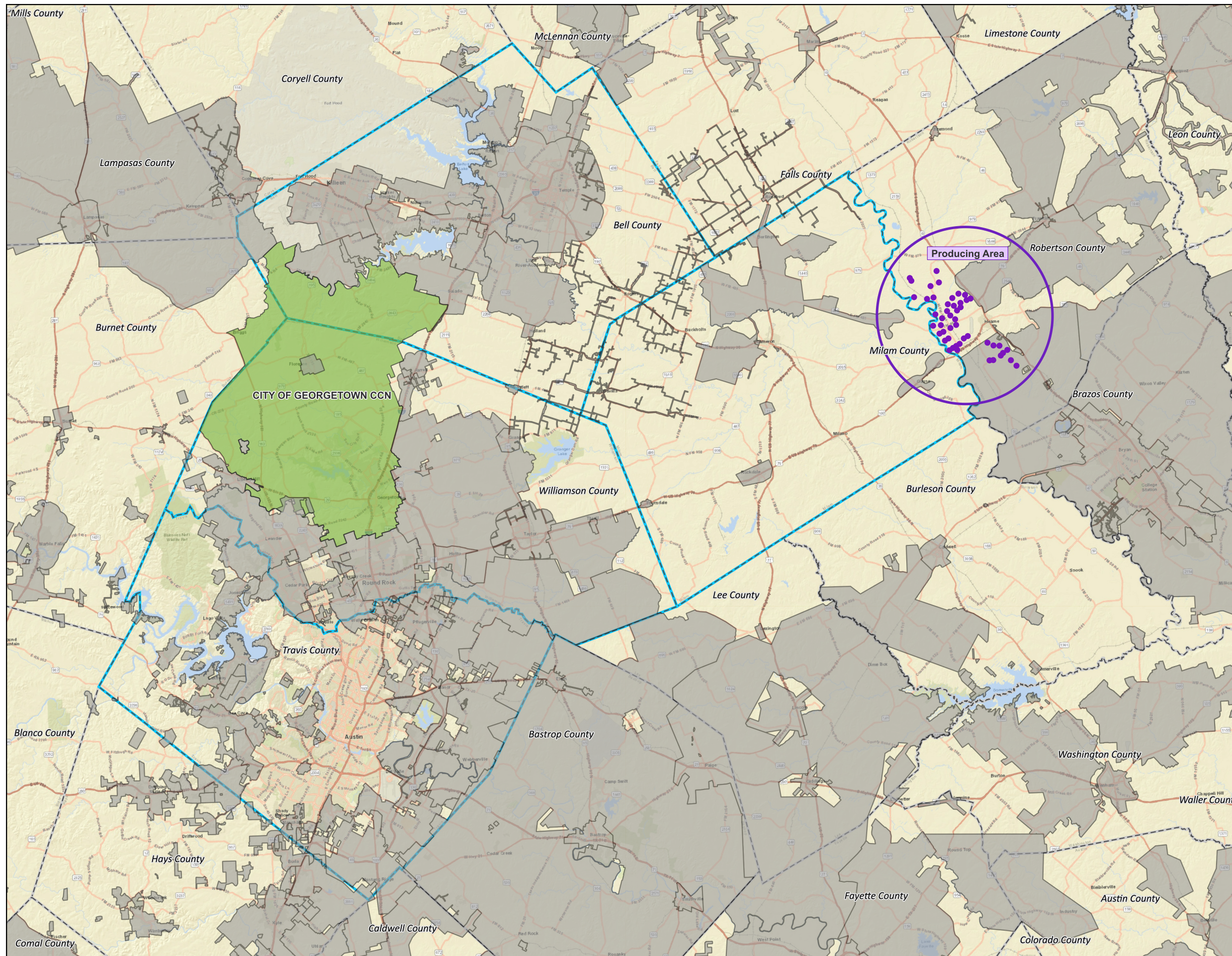
Fazzino, Lee Jr.	BVR-3045	30.954697	-96.703322	404	Simsboro	4	39	46	52	9	13	16
Lopez, Herman W.	BVR-1294	31.039583	-96.605001	540	Simsboro	4	30	36	42	4	8	12
Lopez, Herman W.	BVR-3054	31.038414	-96.606755	450	Simsboro	4	30	36	42	4	8	12
Siegert, Rick & Sheri	BVR-3744	30.955897	-96.616290	880	Simsboro	4	46	52	58	16	21	26
Eagan, Michael & Sybil	BVR-0582	31.034044	-96.599050		Simsboro	4	30	36	42	5	9	13
Deason, Jack	BVR-0023	30.953863	-96.688686	510	Simsboro	4	42	49	55	12	15	19
Knox, James	BVR-0941	30.998770	-96.639289	527	Simsboro	4	36	42	48	8	12	16
City Of Hearne	BVHU-0011	30.875602	-96.588473	1,433	Simsboro	14	48	54	60	17	22	28
City Of Hearne	BVDO-0376	30.898904	-96.604637		Simsboro		57	63	70	26	31	36
City Of Hearne	BVHU-0012	30.886238	-96.590434	1,430	Simsboro	12	51	57	63	19	25	30
City Of Hearne	BVHU-0013	30.885689	-96.619408	1,441	Simsboro	10	60	66	73	28	33	38
City Of Hearne	BVHU-0014	30.879554	-96.598692	1,450	Simsboro	12	52	58	64	20	25	31
Gaas, Richard R. & Cathy	BVR-0073	31.018199	-96.637171	380	Simsboro	4	33	39	45	3	8	12
Gaas, Richard R. & Cathy	BVR-0784	31.011589	-96.645635	460	Simsboro	4	34	40	46	3	8	11
Gaas, Richard R. & Cathy	BVR-4641	31.011486	-96.645573		Simsboro	4	34	40	46	3	8	11
Gaas, Richard R. & Cathy	BVR-3004	31.038897	-96.667651	400	Simsboro	4	30	36	42	0	4	8
Ables, Wallace & Natalie	BVR-0880	31.020954	-96.670276	560	Simsboro	4	32	38	44	0	5	8
Skiles, Clifford III	BVDO-0108	30.851042	-96.635889	1,242	Simsboro	16	47	53	59	15	20	25
Holmgreen, Pat & Renee	BVR-1861	30.953556	-96.719008	420	Simsboro	4	38	44	50	5	8	11
Skiles, Clifford III	BVDO-0317	30.854431	-96.628822		Simsboro		48	54	60	16	21	26
Sandra Ryan & Bernadette Sloat	BVR-0985	30.924003	-96.673151	735	Simsboro	4	52	58	64	20	24	28
Sandra Ryan & Bernadette Sloat	BVDO-0090	30.934280	-96.715252	656	Simsboro	16	41	47	53	7	10	13
Sandra Ryan & Bernadette Sloat	BVDO-0091	30.929786	-96.725021	565	Simsboro	16	39	45	51	6	8	11
Sandra Ryan & Bernadette Sloat	BVDO-0055	30.920309	-96.679458	840	Simsboro	16	51	57	63	18	22	26
Lopez, Claude & Karen	BVR-3086	30.968125	-96.649345	627	Simsboro	4	43	49	55	14	18	22
Flemings, Nancy	BVR-1894	30.957995	-96.691058	515	Simsboro	4	41	47	53	11	15	18
Bland, Andy	BVR-1304	30.946604	-96.681069	560	Simsboro	4	45	51	57	14	17	21
Zeig, Joseph & Marian	BVR-1479	30.871119	-96.634288	1,080	Simsboro	4	56	62	68	22	27	32
Denena, Leon A. Jr	BVR-1574	30.947221	-96.688598	530	Simsboro	4	43	49	55	12	16	19
Pride, Allen B.	BVR-2998	31.022187	-96.673373	484	Simsboro	4	32	38	44	0	4	8
Martin, David & Elaine	BVR-3057	31.043017	-96.625915	420	Simsboro	4	30	36	42	2	6	10
Martin, David & Elaine	BVR-4579	31.040986	-96.620567	380	Simsboro	4	30	36	42	3	7	11
Johnson, Danny & Rhea	BVR-3074	31.047026	-96.572189	590	Simsboro	4	28	34	40	4	8	12
Burnside Investments, Inc.	BVDO-0403	30.802439	-96.616914		Simsboro		35	41	47	7	12	18
Burnside Investments, Inc.	BVDO-0404	30.796989	-96.626811		Simsboro		34	40	46	7	12	18
Burnside Investments, Inc.	BVDO-0405	30.791261	-96.634472		Simsboro		34	40	46	6	11	17
Burnside Investments, Inc.	BVDO-0406	30.787008	-96.643233		Simsboro		33	39	45	6	11	16
Burnside Investments, Inc.	BVDO-0407	30.807222	-96.607594		Simsboro		36	42	48	7	13	19
Triple C Ranch	BVR-0846	30.962101	-96.670091	590	Simsboro	4	43	49	55	13	17	21
Neff, Tim	BVR-0655	30.936669	-96.513962	1,530	Simsboro	4	34	40	46	9	15	19
Brien, James C.	BVDO-0316	30.914826	-96.687016		Simsboro	18	50	56	62	15	19	23
Brien, James C.	BVDO-0315	30.912966	-96.698488		Simsboro	18	46	52	58	12	15	19
Brien, James C.	BVDO-0134	30.916421	-96.694104	778	Simsboro	16	47	53	59	13	16	20
Robertson County WSC	BVHU-0016	30.978596	-96.541256	1,410	Simsboro	11	34	40	46	9	14	18
Hard, James & Lorrie	BVR-3703	31.025766	-96.672874	501	Simsboro	4	31	37	43	0	4	8
Robertson County WSC	BVHU-0016	30.978596	-96.541256	1,410	Simsboro	11	34	40	46	9	14	18
Templeton, John O. Sr	BVR-0772	31.023229	-96.717109	420	Simsboro	4	30	36	42	0	1	3
Templeton, John O. Sr	BVR-1412	31.024185	-96.718694	133	Simsboro	4	29	35	42	0	1	3
L. Wiese Moore, LLC	BVDO-0401	30.871983	-96.648675		Simsboro		56	62	68	22	26	32

L. Wiese Moore, LLC	BVDO-0402	30.867614	-96.658967		Simsboro		52	58	65	18	23	28
Kuiper, Chris & Linda	BVR-3950	30.992505	-96.622070	600	Simsboro	4	37	44	50	10	15	19
Thuy Hoang, LLC	BVR-0733	31.049692	-96.625391	502	Simsboro	4	29	35	41	2	6	10
Thuy Hoang, LLC	BVR-0730	31.047958	-96.625499	516	Simsboro	4	29	35	41	2	6	10
Guild, Joan R.	BVR-2674	30.994412	-96.607663	556	Simsboro	4	36	43	49	10	15	19
Ballard, Robert H. Jr.	BVR-1182	31.042689	-96.684309	560	Simsboro	4	29	35	41	0	2	7
Garcia, Maximiliano	BVR-4061	30.951138	-96.690366	450	Simsboro	4	42	49	55	12	15	19
Hill, Betty E.	BVR-3005	31.003942	-96.694158	407	Simsboro	6	33	39	46	0	4	7
Hill, Betty E.	BVR-3006	31.006183	-96.690410	594	Simsboro	4	33	39	45	0	4	7
Ward, C.T.	BVR-0531	31.040194	-96.634999	341	Simsboro	4	30	36	42	2	6	10
Ward, C.T.	BVR-3007	31.045264	-96.638541	360	Simsboro	4	30	36	42	1	5	9
Rampy, Ty	BVR-1005	31.050677	-96.590888	520	Simsboro	4	28	34	40	3	7	11
Rampy, Ty	BVR-1006	31.026565	-96.646263	400	Simsboro		32	38	44	2	6	10
Rampy, Ty	BVR-1012	31.024712	-96.644045	390	Simsboro	4	32	38	44	2	6	10
Rampy, Ty	BVR-0565	31.044720	-96.650180	351	Simsboro	4	29	35	42	0	4	8
Rampy, Ty	BVOP-0017	31.044772	-96.655079	600	Simsboro	4	29	35	42	0	4	8
Rampy, Ty	BVOP-0018	31.049864	-96.647967	585	Simsboro	12	29	35	41	0	4	8
Burford, Theresa	BVR-3002	31.038455	-96.696274	480	Simsboro	4	29	35	41	0	2	5
Babers, Seth	BVR-3009	31.041890	-96.626703	380	Simsboro	4	30	36	42	2	6	10
Cangemi, Sammy	BVR-4219	30.844030	-96.629023	1,142	Simsboro	4	45	51	57	13	18	24
Eliot Family Limited Partnership	BVR-3047	30.956312	-96.716631	485	Simsboro	4	38	44	50	6	9	12
Calvert Livestock, Inc.	BVR-3048	30.965672	-96.665187	667	Simsboro	4	42	49	55	13	18	22
Mears, Jeffrey L.	BVR-3049	30.957407	-96.667688	620	Simsboro	4	44	50	56	14	18	22
Nguyen, Vinh Duc	BVR-3081	31.036332	-96.610836	460	Simsboro	4	30	36	42	4	8	12
Nguyen, Vinh Duc	BVR-3082	31.037192	-96.610837	460	Simsboro	4	30	36	42	4	8	12
Nguyen, Vinh Duc	BVR-4593	31.035525	-96.610728		Simsboro	4	30	36	42	4	8	12
Nguyen, Vinh Duc	BVR-0897	31.035432	-96.610904	560	Simsboro	4	30	36	42	4	8	12
Zeig, Larry J.	BVR-3187	30.908888	-96.605462	1,270	Simsboro	4	60	66	73	27	32	37
Rychlik, Randall D.	BVR-0118	30.995918	-96.680121	365	Simsboro	4	35	41	48	3	7	11
Ely Family Partnership	BVDO-0384	30.806858	-96.544747		Simsboro		32	38	44	5	11	17
Ely Family Partnership	BVDO-0377	30.843353	-96.594456		Simsboro		42	48	54	12	17	23
Ely Family Partnership	BVDO-0378	30.838847	-96.584083		Simsboro		40	46	52	11	16	22
Dickerson, Mark	BVR-1292	31.033054	-96.556326	677	Simsboro	4	29	35	41	5	10	13
Ely Family Partnership	BVDO-0379	30.838158	-96.573567		Simsboro		39	45	51	10	15	21
Ely Family Partnership	BVDO-0381	30.823175	-96.571783		Simsboro		36	42	48	8	13	19
Ely Family Partnership	BVDO-0383	30.815553	-96.554250				33	39	46	6	12	18
Ely Family Partnership	BVDO-0380	30.827000	-96.567717				36	42	48	8	14	20
Ely Family Partnership	BVDO-0382	30.831378	-96.559953				36	42	48	8	14	20
Hamilton, Kurt & Elsa	BVR-3668	30.989828	-96.624315	585		4	38	44	50	11	15	19
Bingle Road Properties, LP	BVR-2802	31.018358	-96.625752	500		4	33	39	45	5	10	14
Bingle Road Properties, LP	BVR-2946	31.019016	-96.625401	495		4.5	33	39	45	5	10	13
Bingle Road Properties, LP	BVR-4303	31.008355	-96.612897	520		4	34	40	47	8	13	17
Michael Jimmy Farm, LLC	BVDO-0288	31.053255	-96.622603	495		4.5	28	34	40	1	6	9
Michael Jimmy Farm, LLC	BVDO-0289	31.054118	-96.622448	495		4.5	28	34	40	1	5	9
Wallace, Virginia	BVR-1845	30.871602	-96.637746	1,100		4	56	62	68	22	27	33
Irick, Monica W.	BVR-3084	31.001835	-96.622868	420		4	36	42	48	9	14	18
The Bamm Trust	BVR-1321	30.979994	-96.655092	550		4	40	46	52	12	16	20
Ottea, Monica M.	BVR-4363	30.953794	-96.717956			4	38	44	50	6	9	11
Ottea, Monica M.	BVR-4236	30.953857	-96.717906	477		4.5	38	44	50	6	9	11
Morrison, David & Connie	BVR-1329	30.982614	-96.622909	605		4	40	46	52	12	16	21
Grimes, Coylin & Diane	BVR-4297	30.956929	-96.659539	668		4	45	51	57	15	19	23
Turner, Tom	BVR-1868	31.019804	-96.611815	500		4	33	39	45	6	11	15
Turner, Tom	BVDO-0247	31.019966	-96.611813	540		6.9	33	39	45	6	11	15

10786 Vaughn Agricultural, LLC	BVR-0075	31.024001	-96.707904	450	4	30	36	42	0	2	4
10786 Vaughn Agricultural, LLC	BVOP-0322	31.012027	-96.687656		6	33	39	45	0	4	7
Amos, David	BVR-1773	30.962742	-96.659380	720	4	44	50	56	14	18	22
10786 Vaughn Agricultural, LLC	BVHU-1070	31.014527	-96.747991	135	16	29	35	41	0	1	2
10786 Vaughn Agricultural, LLC	BVHU-1071	31.019275	-96.733556	236	12	29	35	41	0	1	2
10786 Vaughn Agricultural, LLC	BVR-0436	31.029972	-96.716550	400	4	29	35	41	0	1	3
10786 Vaughn Agricultural, LLC	BVOP-0322	31.012027	-96.687656		6	33	39	45	0	4	7
Saint Paul Baptist Church	BVR-2999	31.020064	-96.674834	540	4	32	38	44	0	4	8
New Magnolia Baptist Church	BVR-3041	30.952959	-96.690806	461	4	42	49	55	11	15	19
Wallace, John M.	BVR-3051	31.033495	-96.629076	400	4	31	37	43	3	7	11
Wallace, John M.	BVR-4322	31.031439	-96.628308		4	31	37	43	3	7	11
Sabrsula, Jim	BVR-3053	31.000027	-96.627700	500	4	36	42	48	9	14	18
Pettit, Kenneth R. Sr.	BVR-4652	30.978920	-96.685880	425	4	38	44	50	10	14	18
Badgerjack Resource Holding, LP	BVDO-0323	31.031647	-96.670903			31	37	43	0	4	8
Badgerjack Resource Holding, LP	BVDO-0325	31.015504	-96.662516			33	39	45	1	6	9
Badgerjack Resource Holding, LP	BVDO-0324	31.009261	-96.675999			33	40	46	0	5	8
Badgerjack Resource Holding, LP	BVDO-0334	31.005677	-96.655249			35	41	47	3	7	11
Badgerjack Resource Holding, LP	BVDO-0326	31.018854	-96.635383			33	39	45	4	8	12
High Timber Resources, LP	BVDO-0336	31.055200	-96.642940			28	34	40	0	4	8
High Timber Resources, LP	BVDO-0337	31.038877	-96.651306			30	36	42	1	5	9
High Timber Resources, LP	BVDO-0338	31.029549	-96.640775			31	37	43	2	6	10
High Timber Resources, LP	BVDO-0339	31.053744	-96.597003			28	34	40	3	7	10
Corpora Farms	BVDO-0341	30.967123	-96.681905			41	47	53	12	16	19
Corpora Farms	BVDO-0348	30.862142	-96.648896			51	57	63	17	22	28
Corpora Farms	BVDO-0350	30.828601	-96.637179			40	47	53	10	15	21
Corpora Farms	BVDO-0342	30.930936	-96.703584			43	50	56	10	13	16
Corpora Farms	BVDO-0347	30.941075	-96.664942			49	55	61	18	22	26
Corpora Farms	BVDO-0349	30.866236	-96.641341			53	59	65	20	24	30
Corpora Farms	BVDO-0351	30.830612	-96.633565			41	47	53	11	16	21
Corpora Farms	BVDO-0352	30.784337	-96.560379			30	36	42	4	10	16
Corpora Farms	BVDO-0353	30.784810	-96.554918			30	36	42	4	10	16
Corpora Farms	BVDO-0343	30.931603	-96.720836			40	46	52	7	9	12
Lutz Sustaire, Mary K.	BVR-3078	31.040704	-96.591226	520	4	29	35	41	4	9	12
Rice, Gary & Glenna	BVR-3080	31.034136	-96.620127	372	4	31	37	43	3	8	11
Naranjo, Audencio	BVR-3104	30.962380	-96.674672	460	4	42	48	54	13	17	21
Swaner, Ronald & Elizabeth	BVR-3190	30.906117	-96.605510	1,225	4	60	66	73	27	32	37
Jones, Sandra J.	BVR-1268	31.020394	-96.669152	340	4	32	38	44	1	5	8
Jessie Moss Estate	BVR-3000	31.041850	-96.691607	340	4	29	35	41	-2	2	5
Vacek, Charles Lori	BVR-4281	30.994940	-96.634338		4	37	43	49	10	14	18
Berger, Dwayne	BVR-4287	31.011512	-96.638853	540	4	34	40	46	4	9	13
Richards, James & Sandra	BVR-4326	31.051043	-96.582161		4	28	34	40	3	7	11

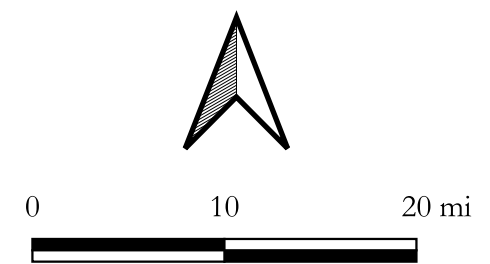
Howard, Shirley J.	BVR-3044	30.953064	-96.670912	660	4	45	51	57	14	18	22
Hodges, Jerry & Glenda	BVR-3050	31.037537	-96.633212	380	4	30	36	43	2	6	10
Barber, Dianna L.	BVR-3052	31.004433	-96.629616	448	4	35	41	47	8	13	17
Hightower, Shana & Jill	BVR-3079	31.040723	-96.608286	440	4	30	36	42	4	8	12
Corpora Farms	BVDO-0344	30.934607	-96.709457			41	48	54	9	12	15
Corpora Farms	BVDO-0345	30.939189	-96.647752			52	58	64	21	26	30
Corpora Farms	BVDO-0346	30.928505	-96.667226			53	59	66	20	24	29
Pride, Dessie M.	BVR-4565	31.022941	-96.672354		4	31	38	44	0	5	8
Salcido, Justen	BVR-4651	30.987086	-96.622479	640	4	38	44	50	11	16	20
RH2O LLC	BVDO-0389	30.909286	-96.628772		16	78	84	90	45	49	55
RH2O LLC	BVDO-0385	30.911344	-96.621725			76	82	88	41	46	51
RH2O LLC	BVDO-0386	30.898639	-96.639708			88	94	100	51	56	61
RH2O LLC	BVDO-0387	30.893919	-96.646250			77	83	89	45	49	55
RH2O LLC	BVDO-0388	30.905286	-96.639786			82	88	94	49	54	59
Cage, Carl J.	BVR-3933	31.042262	-96.609801	495	5	29	35	42	3	8	11
Aggie Nooks, LLC	BVR-4137	30.963367	-96.697307	485	5	39	46	52	10	14	17
Powers, Linda	BVR-4282	30.996521	-96.625017		4	37	43	49	10	14	18
Amburgey, Loretta	BVR-4288	31.011059	-96.633712		4	34	40	46	5	10	14
Hopkins, Jason & Rachel	BVR-4299	30.988807	-96.653770		4	38	44	50	11	15	19
Tuttle, Artie M.	BVR-4325	31.043518	-96.627811	441	4	30	36	42	2	6	10
Keyes, Barbara W,	BVR-4408	30.963877	-96.709797	440	4	38	44	50	8	11	15
Wills, Gwendolyn W.	BVR-4524	30.981080	-96.686232	390	4	38	44	50	10	14	18
Tuttle, Arlie W.	BVR-4550	31.043821	-96.625790		4	30	36	42	2	6	10
Watson, Mark T.	BVR-4566	31.055077	-96.619032	280	4	28	34	40	1	6	9
Fazzino Investments LP	BVDO-0394	30.945554	-96.727687			37	43	49	4	6	8
Fazzino Investments LP	BVDO-0395	30.941356	-96.725083			38	44	50	6	8	11
Fazzino Investments LP	BVDO-0396	30.851775	-96.662976			46	52	58	13	18	23
Fazzino Investments LP	BVDO-0398	30.816412	-96.591883			36	42	48	8	13	19
Fazzino Investments LP	BVDO-0397	30.848652	-96.669293			44	50	57	12	16	22
Fazzino Investments LP	BVDO-0399	30.816641	-96.585293			36	42	48	8	13	19

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 Nickolas R. Lutz, Jr., who being duly sworn on his oath, says and deposes as follows:

"My name is Nickolas R. Lutz, Jr.. I am the Manager (title) of RH2O, LLC (name of entity) (hereinafter referred to as the "Applicant"). I have been authorized by RH2O, 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 8529 Edinburgh St., Montgomery, TX 77316. 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.
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). **See Exhibit B, attached hereto.**
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."

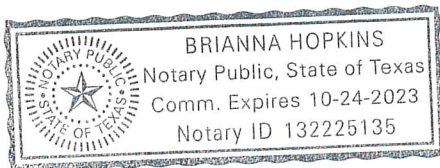
RH2O, LLC

Signed

Nickolas R. Lutz, Jr.
Nickolas R. Lutz, Jr., Manager
Authorized representative of Applicant

SWORN AND SUBSCRIBED to before me on this the 10th day of August, 2023.

(Notary Seal)



B Hopkins

Notary Public in and for the State of Texas

My Commission Expires: 10-24-23

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.

STATE OF TEXAS §
 §
COUNTY OF ROBERTSON §

SPECIAL WARRANTY DEED SEVERING THE GROUNDWATER ESTATE

Recitals

WHEREAS, Grantors Nickolas R. Lutz, Jr., John C. Lutz, and Mary Kathryn Lutz Sustaire, are the three children of Joan Fagan Lutz, and the sole heirs and beneficiaries under the Will of Joan Fagan Lutz; and

WHEREAS, Joan Fagan Lutz’s Will was probated in Brazos County, Texas, and is recorded in Volume 768, Page 80 of the Probate Records of Brazos County, Texas; and

WHEREAS, Joan Fagan Lutz’s Will left all of her property, excluding the specific bequests in the Will of certain personal property, defined as her “Remaining Property” in equal undivided shares to each of her three children in Section 3.3 of the Will; and

WHEREAS, the real property located in Robertson County, Texas, commonly known as the Red Hill Farm, subject to this deed severing the groundwater estate included in the Inventory of the Estate of Joan Fagan Lutz, was a portion of the Remaining Property, and is owned by the Grantors pursuant to the terms of (i) the probated Will of Joan Fagan Lutz, and (ii) is described on that certain Executor’s Deed dated December 16, 2011, conveying to the Estate of Joan Fagan Lutz, *inter alia*, Parcel 1, containing eleven separate tracts of land containing a cumulative total of 920.5425 acres, more or less, in Robertson County, Texas, said Executor’s Deed is recorded as Document 20115875 in Volume 1155 at Pages 369 *et seq.* of the Official Public Records of Robertson County, Texas and as Document 01108399 in Volume 10468 at Pages 263 *et seq.* of the Official Public Records of Brazos County, Texas; and

WHEREAS, Grantors have formed a new Texas limited liability company, of which each is a member, known as RH₂O, LLC;

NOW, THEREFORE, in consideration of the Recitals above, and the consideration recited herein, Grantors do hereby sever and convey their right, title and interest in the Groundwater Estate in and under the real property defined herein as 920.5425 acres, more or less, commonly known as the Red Hill Farm, into the Texas limited liability company identified herein as the Grantee – “RH₂O, LLC.”

Effective Date: July 28, 2023

Grantors: Nickolas R. Lutz, Jr.
John C. Lutz
Mary Kathryn Lutz Sustaire

Grantors' Mailing Address: **Attn: Nickolas R. Lutz, Jr.**
8529 Edinburgh Ct.
Montgomery, Texas 77316
John C. Lutz
9957 FM 979
Cameron, Texas 76520

Mary Kathryn Lutz Sustaire
13121 Hopes Creek Road
College Station, Texas 77845

Grantee: RH₂O LLC, a Texas limited liability company

Grantee's Mailing Address: **Attn: Nickolas R. Lutz, Jr., Manager**
8529 Edinburgh Ct.
Montgomery, Texas 77316

Consideration:

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

Property (including any improvements):

Those certain property rights and interests associated with and belonging to the "Groundwater Estate" (defined herein) in and underlying those certain 920.5425 acres, more or less, in Robertson County, Texas, commonly known as the Red Hill Farm, and more particularly described in Exhibit "A" appended hereto and incorporated herein by reference for all purposes (the "Surface Estate") for the purposes of exploring for, drilling and developing, and producing the Groundwater Estate and, thereafter, producing, treating, transporting and/or storing the groundwater in, on and under said 920.5425 acres.

Definition of Groundwater Estate:

As used in this Special Warranty Deed Severing the Groundwater Estate, the term "Groundwater Estate" shall mean all legal right and title to the ownership of all water percolating beneath the real property defined herein as the Surface Estate, and containing 920.5425 acres in Robertson County, Texas, more particularly described in Exhibit "A," now and in the future, including all appurtenant rights to explore, drill for, develop and produce groundwater from the Groundwater Estate, which rights include access to, on,

over and across said Surface Estate together with the right to occupy and use as much of the Surface Estate as may reasonably be necessary for such purposes.

Notice of Groundwater District and other regulatory authority:

Grantee expressly acknowledges that the rights (i) of access to the Groundwater Estate in and under the Surface Estate of the real property for drilling, exploring, operating, developing, producing the groundwater and/or drainage for the purpose of removing groundwater from the Property, and (ii) of surface access and use in, on and over the Surface Estate defined herein, including use in dedicated Rights of Way and/or platted or recorded utility easements for the limited purposes to construct, own, operate and maintain groundwater wells, pump units, storage and treatment facilities, and pipelines to transport groundwater produced from Grantee's development activities on the Property, (a) is without warranty, guarantee or other representation as to the quantity or quality of the groundwater that may be available or produced from the Groundwater Estate, and (b) is subject to any and all applicable statutes, regulations and rules, including those of the Brazos Valley Groundwater Conservation District.

RESERVATIONS FROM CONVEYANCE: SAVE AND EXCEPT, HOWEVER, and there is hereby RESERVED unto Grantors, their successors and assigns the following:

(a) Title to the Surface Estate containing 920.5425 acres, more or less, in Robertson County, Texas, more particularly described in Exhibit "A," together with all oil, gas and other minerals in, on, over and across said real property (the "Mineral Estate"); **and**

(b) the limited right to use groundwater producible from the Groundwater Estate for beneficial, non-wasteful purposes on the Surface Estate defined herein for the following limited purposes:

- (i) use in conjunction with the development of the Mineral Estate in, on over and under said Surface Estate; and
- (ii) any exempt use authorized by law on the Surface Estate.

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

The conveyance and limited warranties of title herein are expressly made subject to the following liens, assignments, exceptions, easements, restrictive covenants, conditions, and encumbrances incorporated herein for all purposes:

- (i) all matters of public record, including all matters that would be disclosed by a current, accurate review of any and all applicable governmental records, including the applicable records of the Texas Commission on Environmental Quality; **and**
- (ii) All easements, restrictions, reservations, and covenants of record, including:

- a. Any prior reservations of oil, gas, lignite, or other minerals;
 - b. Any existing and valid oil, gas and mineral leases, or easements or rights-of-way; and
 - c. Any other existing rights or encumbrances, including leases, utilities, and pipeline easements; **and**
- (iii) All matters that a current, accurate survey of the Property would show.

The foregoing Exceptions to the Conveyance and Warranty of the Groundwater Estate may be collectively referred to herein as the “Permitted Exceptions.”

Grantors, for the Consideration, and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, GRANT, SELL, and CONVEY to Grantee the Groundwater Estate, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee’s successors and assigns forever. Grantors bind Grantors, and Grantors’ heirs, and successors and assigns, to warrant and forever defend all and singular the Property to Grantee and Grantee’s heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantors but not otherwise.

TAXES: Taxes for the current year and future years will continue to be the obligation and responsibility of Grantor unless and until the Groundwater Estate is separately assessed and taxes levied on the basis of the severed Groundwater Estate, at which time, and thereafter, each separate assessment of, and taxes levied upon the Groundwater Estate shall be the sole obligation of Grantee; **PROVIDED, FURTHER,** that Grantee acknowledges and agrees that all fees, charges and other lawful assessments that may be assessed, charged and collected by the Brazos Valley Groundwater Conservation District, or any successor entity with regulatory authority over groundwater related to the development, production and beneficial use of the groundwater from the Groundwater Estate by Grantee, but not otherwise, shall be solely the responsibility and obligation of Grantee from and after the Effective Date of this Special Warranty Deed. Any taxes or assessments resulting from the production or use of groundwater from the Groundwater Estate pursuant to the Reservation in favor of Grantors, or the Exceptions to the Conveyance shall be the sole responsibility of the person or entity producing or using the groundwater produced.

The use of any pronoun herein to refer to Grantors or Grantee shall be deemed a proper reference even though Grantors and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, company or trustee, the words “heirs, executors and administrators” or “heirs and assigns” shall, with respect to such corporation, company or trustee, be construed to mean “successors and assigns.”

EXECUTED to be EFFECTIVE as of the Effective Date recited above.

SIGNATURE PAGES FOLLOW ON NEXT PAGE

GRANTOR:

By: *Nickolas R. Lutz, Jr.*
Nickolas R. Lutz, Jr.

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

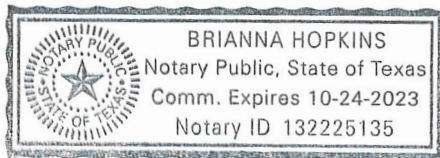
This instrument was sworn, subscribed to, and acknowledged before me on August 10th, 2023 by **Nickolas R. Lutz, Jr.** for the purposes and considerations recited herein.

Brianna Hopkins
Notary Public, State of Texas

Brianna Hopkins
(Name - Typed or Printed)
Notary ID No.: 132225135

10-24-23
(My Commission Expires)

[NOTARY SEAL]



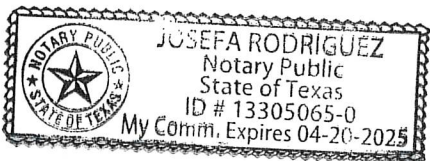
GRANTOR:

By: *JCL*
John C. Lutz

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF ROBERTSON §

This instrument was sworn, subscribed to, and acknowledged before me on August 11, 2023 by **John C. Lutz** for the purposes and considerations recited herein.



Josefa Rodriguez Texas
Notary Public, State of Texas

Josefa Rodriguez
(Name - Typed or Printed)

Notary ID No.: 13305065-0

4-20-2025
(My Commission Expires)

[NOTARY SEAL]

GRANTOR:

By: Mary Kathryn Lutz Sustaire
Mary Kathryn Lutz Sustaire

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

This instrument was sworn, subscribed to, and acknowledged before me on August 10, 2023 by **Mary Kathryn Lutz Sustaire** for the purposes and considerations recited herein.

Cristi Cadena

Notary Public, State of Texas

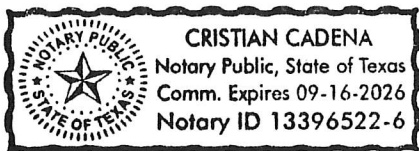
Cristian Cadena

(Name - Typed or Printed)

Notary ID No.: 13396522-6

9-16-26

(My Commission Expires)



[NOTARY SEAL]

Exhibit "A"

Property (including any improvements): All of Grantors' undivided interest in and to the Groundwater Estate in and under the following described Property:

PARCEL 1: BEING 11 tracts of land, more or less, containing an aggregate of 920.5425 acres, more or less lying and being situated in the G.A. Nixon Survey, A-31, J. Little Survey, A-208, and J.R. Robertson Survey in conflict with the G.A. Nixon Survey, Robertson County, Texas and being described as follows:

(Tract 1) 35.4 acres, 174 acres, 30 acres and 152 1/5 acres, G. A. Nixon Survey, A-31, described in Deed dated October 19, 1960, recorded in Volume 194, Page 311, Deed Records of Robertson County, Texas.

(Tract 2) 64.1 acres, 2 5/9 acres and 40 acres, John Little Survey, A-208, in deed dated October 17, 1961, recorded in Volume 196, Page 525, Deed Records of Robertson County, Texas.

(Tract 3) 250 1/2 acres, J. R. Robertson Survey, in conflict with G. A. Nixon Survey, A-31, in deed dated October 22, 1962, recorded in Volume 200, Page 559, Deed Records of Robertson County, Texas.

(Tract 4) 91 acres, J. R. Robertson Survey, in conflict with G. A. Nixon Survey, A-31, dated October 20, 1964, recorded in Volume 209, Page 106, Deed Records of Robertson County, Texas.

(Tract 5) 25 acres and 58 acres, J. R. Robertson Survey, in conflict with G. A. Nixon Survey, A-31, dated October 12, 1965, recorded in Volume 219, Page 66, Public Records of Robertson County, Texas.

AFTER RECORDING RETURN TO:

RH₂O LLC

Attn: Nickolas R. Lutz, Jr., Manager
8529 Edinburgh Ct.
Montgomery, TX 77316

Exhibit No. 1

**TGI's Aquifer Evaluation Report on Fazzino Family
Well Nos. 1 through 6, inclusive, dated July 25, 2023**


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.

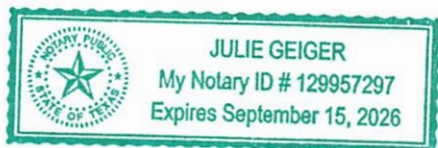
1. I am submitting to the Brazos Valley Groundwater Conservation District (“District”) an application addendum for the transport permit related to previously authorized production from water wells located as specified in **BVDO-0385; BVDO-0386; BVDO-0387; BVDO-0388; BVDO-0389** (“Water Rights”).
2. Co-Applicant entered into an Exclusive Option to Lease Agreement with **RH20, 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