

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Stephanie Bergeron Perdue, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

July 12, 2018

William and Maria Dempsey
7112 FM 192
Fort Hancock, Texas 79839-3957

RE: Change of Ownership
Certificate of Adjudication No. 23-900

Dear Mr. & Mrs. Dempsey:

Based on review of the submitted information, and the *Final Determination of Water Right Claims from the Rio Grande and Contributing Tributaries Except the Pecos and Devils Rivers from Fort Quitman Downstream to Amistad Dam*, excerpt enclosed, staff cannot process your requested change of ownership request relating to Certificate of Adjudication 23-900. The information reviewed indicates that Certificate 23-900 was never appurtenant to your tract of land.

Additionally, the water rights claim mentioned in the deeds for your property are mentioned in a review of the *Final Determination of Water Right Claims from the Rio Grande and Contributing Tributaries Except the Pecos and Devils Rivers from Fort Quitman Downstream to Amistad Dam* indicating that your predecessors in title, Mr. and Mrs. Bishop, were registered claim number 3112 in 1970, and were found by the Court to have no claim to water during the adjudication of the upper Rio Grande. The claim was canceled on August 18, 1977.

Pursuant to Title 30 Texas Administrative Code (TAC) §281.18, the file is being closed and a refund of your \$100 filing fee will be returned under separate cover.

If you have any questions concerning this matter please contact **Joe Nicosia** via e-mail at joe.nicosia@tceq.texas.gov or by telephone at (512) 239-1644.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Wilson", with a large, stylized flourish extending to the right.

Kim Wilson, Director
Water Availability Division

KW/jn/mb

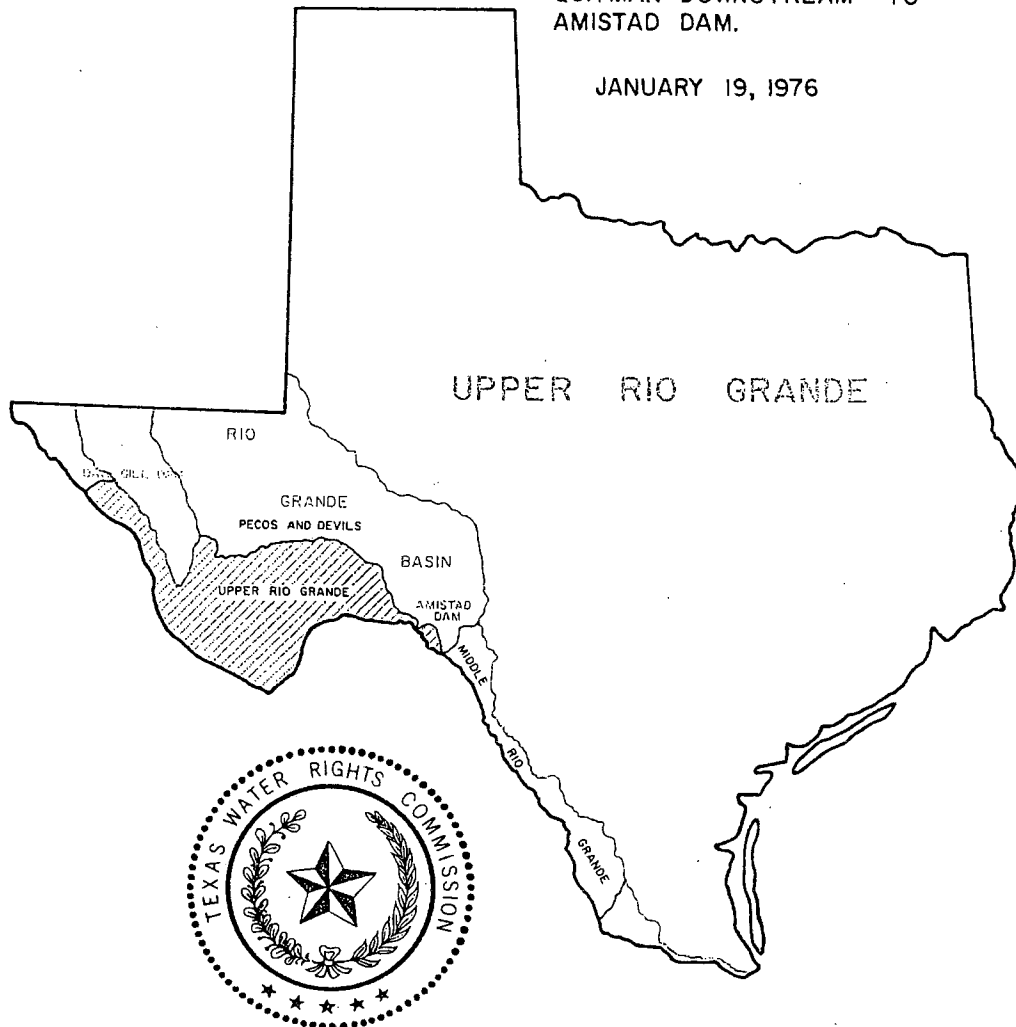
cc: Rio Grande Watermaster's Office

333,339
T31RI
FINAL

Robert E. Schneider
Executive Director

FINAL DETERMINATION OF
WATER RIGHT CLAIMS FROM
THE RIO GRANDE AND
CONTRIBUTING TRIBUTARIES
EXCEPT THE PECOS AND
DEVILS RIVERS FROM FORT
QUITMAN DOWNSTREAM TO
AMISTAD DAM.

JANUARY 19, 1976



JOE D. CARTER, Chairman
JOE R. CARROLL, Commissioner
DORSEY B. HARDEMAN, Commissioner
Executive Director
ROBERT E. SCHNEIDER

DIVERSION POINT NO. 0010A, 0020 & 0030
TRACT NO. 0010

OWNERSHIP:
PORT QUINLAN LAND COMPANY

18-1, 2, 3 and 4
Vol. 8 SF 73-264
Findings of Fact:

1. Claimant has developed the use of 800 acre-feet of water per annum from the Rio Grande, Arroyo, and unnamed tributaries for the irrigation of 400 acres of land out of a 776 acre tract in Hudson County, with storage facilities to be irrigated under Permit 776, as amended. The tract authorized to be irrigated under Permit 776, as amended, is designated as Tract 0010.
2. Tract 0010 contains 500 acres irrigated from ordinary flows of Rio Grande acre-feet occurring in 1963. The maximum of 500 acres irrigated during 1963-67 with maximum annual applications of water in the amount of 1500 cfs on lands located in Surveys 120-125, Survey 184, and Section 179. The mentioned surveys are adjacent to the Rio Grande and patented from the State prior to 1895. Maximum acreage located in valid riparian surveys historically irrigated in the period prior to 1963-67 is 850 acres which occurred during 1964.
3. Water was diverted at Diversions 0010, 0020 and 0030 at a maximum rate of 669 cfs. A dam, gravity canal and lift pump system was employed.
4. First beneficial use of water was in 1909.
5. The time priority of Permit 776, as amended, is January 28, 1924.
6. Claim 2458 is a valid claim of riparian irrigation water rights to the extent of 500 acres irrigated in Tract 0010 out of Surveys 120-125, Survey 184 and Section 179. Claim 78 is superfluous.
7. Reasonable duty of water which can be beneficially used for agricultural purposes on claimant's tract is 3 acre-feet per acre from ordinary flows of Rio Grande.

CLAIMANT RECOGNIZED NO RIGHT UNDER CLAIM NO. 78

BASIS OF RIGHT RECOGNIZED- PERMIT NOS. 776, 776A & 776B
SOURCE OF WATER- RIO GRANDE & ARROYO DAWGCO(0030)
NO. OF RESERVOIRS- 2
CAPACITY- 385 ACRES-FEET
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 800 ACRE-FEET PER YEAR
NO. OF ACRES- 500
IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- WITHIN P-776A BOUNDARIES

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEYS 119-125, 327 & SECTIONS 25, 26 & 179
ABSTRACT NOS. 1817-1821, 2129, 2140, 2146, 218,
2263, 2423, 2426 & 2281
MAXIMUM DIVERSION RATE- 301050 CFM (669.0 CFS)
PRIORITY DATE- 1-28-1926

REMARKS- AWARDED RIGHT DUPLICATES 400 ACRES COVERED BY
CLAIM NO. 2458, ALSO PERMITS USE OF DAVE GILL DIVERSION
DAM AND CANAL.

BASIS OF RIGHT RECOGNIZED- RIPARIAN UNDER CLAIM NO. 2458
SOURCE OF WATER- RIO GRANDE
NO. OF RESERVOIRS- 0
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 700 ACRE-FEET PER YEAR
NO. OF ACRES- 500
IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- WITHIN C-2458 IN SURVEYS
119-125, 186 & SECTION 179 ONLY

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEYS 119-125, 184 & SEC 179
ABSTRACT NOS. 1817-1821, 2140, 1840 & 2281
MAXIMUM DIVERSION RATE- 301050 CFM (669.0 CFS)
PRIORITY DATE- 1909

REMARKS- AWARDED RIGHT DUPLICATES 400 ACRES COVERED BY
PERMIT NOS. 776, 776A & 776B

DIVERSION POINT NO. 0010
TRACT NO. 0020

OWNERSHIP:
LARRY T BISHOP AND WIFE REJEANE BISHOP

18-3 and 4
Vol. 2 SF 436-439
Vol. 8 SF 73
Findings of Fact:

1. Party called but did not appear and present evidence.
2. Party did not substantiate beneficial use of water.

CLAIMANT RECOGNIZED NO RIGHT UNDER CLAIM NO. 3112

DIVERSION POINT NO. 0040
TRACT NO. 0030

OWNERSHIP:
DEKARD NOTH

18-7 and 8
Vol. 8 SF 165-188, 164-209
Findings of Fact:

1. Tract 0030 contains 169 acres of land out of Surveys 128-131 irrigated from ordinary flows of Rio Grande during 1963-67 with maximum applications of water in the amount of 507 acre-feet of water per annum. Surveys 128-131 are adjacent to Rio Grande and were titled from the State prior to 1895.
2. Water was diverted at Diversion 0040 by pump at a rate of 5.6 cfs (2500 gpm) from the Rio Grande and by gravity from the Dave Gill canal extension which is controlled by facilities on the property of Port Quinlan Land Company.
3. Beneficial use of water on Tract 0030 is shown by 1890 census for 1922.
4. Claim 5350 is a valid claim of riparian irrigation water rights to the extent of 169 acres irrigated in Surveys 128-131 out of Tract 0030.
5. Reasonable duty of water which can be beneficially used for agricultural purposes from ordinary flows diverted from Rio Grande proper or from Dave Gill canal extension is 3 acre-feet per acre annually.
6. The contractual agreement of June 24, 1960, (introduced as Exhibit 86), does not constitute a permanent water service right to the waters to which Port Quinlan Land Company is entitled by virtue of its permits and/or riparian rights.

BASIS OF RIGHT RECOGNIZED- RIPARIAN UNDER CLAIM NO. 5350

SOURCE OF WATER- RIO GRANDE
NO. OF RESERVOIRS- 0
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 507 ACRE-FEET PER YEAR
NO. OF ACRES- 169

IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- WITHIN THE BOUNDARIES OF
CLAIM NO. 5350

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEYS 128-131, U S PARCELS 121A & B
ABSTRACT NOS. 697, 698, 2141 & 2142
MAXIMUM DIVERSION RATE- 2500 CFM (5.6 CFS)
PRIORITY DATE- 1922

REMARKS- ALSO ALLOWS USE OF DAVE GILL CANAL EXTENSION

DIVERSION POINT NO. 0050
TRACT NO. 0040

OWNERSHIP:
STIMMY W COOPER

18-9 and 10
Vol. 2 SF 266-277
Findings of Fact:

1. Tract 0040 is located in Surveys 131-134 which are adjacent in the Rio Grande and patented from the State in 1861, 1861, 1861 and 1861, respectively.
2. Tract 0040 contains 110 acres irrigated from Dave Gill extension canal and the Rio Grande during 1963-1970 with a maximum application of water in the amount of 330 acre-feet during any one year.
3. Water is diverted at Diversion 0040 by three pumps at a combined rate of 22.1 cfs (10,000 gpm) and from Dave Gill extension canal by gravity ditches.
4. First beneficial use of water was in 1923.
5. Reasonable duty of water which can be beneficially used for agricultural purposes is 3 acre-feet from ordinary flows of the Rio Grande.

BASIS OF RIGHT RECOGNIZED- RIPARIAN UNDER CLAIM NO. 111
SOURCE OF WATER- RIO GRANDE
NO. OF RESERVOIRS- 0
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 330 ACRE-FEET PER YEAR
NO. OF ACRES- 110
IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- WITHIN THE BOUNDARIES OF
CLAIM NO. 111

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEY 131-134, U S PARCELS 123A
ABSTRACT NOS. 2142, 1923-1924
MAXIMUM DIVERSION RATE- 39,000 CFM (22.1 CFS)
PRIORITY DATE- 1923

REMARKS- ALSO ALLOWS USE OF DAVE GILL CANAL EXTENSION

DIVERSION POINT NO. 0060
TRACT NO. 0050

OWNERSHIP:
DR JOHN P BRADY AND WIFE

18-11 and 12
Vol. 2 SF 228-255
Findings of Fact:

1. Tract 0050 contains a maximum of 30 cultivated acres in which water from natural flows of Rio Grande was beneficially used from 1963-1967. Twenty-one acres are in Survey 136 which is adjacent to Rio Grande and was patented from the State in 1861. The remaining 9 acres is located in S-116 Survey 28 which is adjacent to Rio Grande but was patented from the State in 1926. Survey 28 is not adjacent to Rio Grande, was patented from the State in 1926, and does not contain acreage irrigated from 1963-1967.
2. Water was diverted at Diversion 0060 in S-116 Survey 28 by pump at 9.4 cfs (4300 gpm).
3. First beneficial use of water was in 1925.
4. Reasonable duty of water which can be beneficially used for agricultural purposes is 3 acre-feet from ordinary flows of Rio Grande.
5. Claimant failed to prove riparian land title on Survey 38 and S-116 Survey 28.

BASIS OF RIGHT RECOGNIZED- CLAIM NO. 2352

SOURCE OF WATER- RIO GRANDE
NO. OF RESERVOIRS- 0
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 63 ACRE-FEET PER YEAR
NO. OF ACRES- 21

IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- ON SURVEY 136 ONLY IS
CLAIM NO. 2352

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEY 136
ABSTRACT NO. 1861
MAXIMUM DIVERSION RATE- 4200 CFM (9.4 CFS)
PRIORITY DATE- 1925

REMARKS- ALSO ALLOWS USE OF DAVE GILL CANAL EXTENSION

DIVERSION POINT NO. 0070
TRACT NO. 0060

OWNERSHIP:
J D BEAN

18-13 and 14
Vol. 2 SF 342-346
Findings of Fact:

1. Tract 0060 contains 777 acres of land located in Surveys 136-140 which were irrigated from ordinary flows of the Rio Grande during 1963-1967 with a maximum application of water in the amount of 1800 acre-feet during any one year.
2. Water was diverted at Diversion 0060 in Section 136 by two pumps at a combined rate of 13.37 cfs (6000 gpm) and uncontrolled flows from the Dave Gill Canal.
3. First beneficial use was in 1925.
4. Surveys 136-140 are valid riparian surveys.
5. Reasonable duty of water which can be beneficially used for agricultural purposes is 3 acre-feet from ordinary flows of the Rio Grande.

BASIS OF RIGHT RECOGNIZED- RIPARIAN UNDER CLAIM NO. 6189

SOURCE OF WATER- RIO GRANDE
NO. OF RESERVOIRS- 0
PURPOSE OF USE- IRRIGATION
AMOUNT OF WATER- 871 ACRE-FEET PER YEAR
NO. OF ACRES- 277

IRRIGATED TRACT SHOWN IN APPENDIX TO INVESTIGATION
REPORT FOR UPPER RIO GRANDE DATED APRIL 1 1971,
DESCRIBED AS FOLLOWS- WITHIN THE BOUNDARIES OF
CLAIM NO. 6189

TRACT LOCATION- COUNTY OF HUNDESPETH

MAP NO. 5 OF 10
SURVEYS 136-140
ABSTRACT NOS. 1824-1830
MAXIMUM DIVERSION RATE- 6000 CFM (13.4 CFS)
PRIORITY DATE- 1925

REMARKS- ALSO ALLOWS USE OF DAVE GILL CANAL EXTENSION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: Maria and Bill Dempsey

Call from: Megan Brown

Date of call: 5/03/2018

File no.: 23-900

Phone no.: (915) 227-4497

Subject: returning Voice mail, COO for
23-900

Information for file: Mr. and Mrs. Dempsey are submitting a change of ownership
on file 23-900. Watermaster deputies and International Boundary Commission
also being consulted. Relevant deeds submitted via email, expecting form and
fee in the mail, was sent from El Paso Monday (4/30).

Dempsey's have previous correspondence between watermaster
staff and prior owners of their property regarding water right 23-900 dated
in 1970's and 1990's. There is suspicion of historical inaccuracy in
file.

I stated to the Dempsey's I would continue as their
point of contact for matters related to the Change of Ownership. I
am expecting a call from their attorney, Mr. James Lucas.

Signed

Megan Brown

SURFACE WATER RIGHTS CHANGE OF OWNERSHIP FORM

This Form is required to update the TCEQ ownership records of surface water rights in Texas. Submit a separate form for each water right. **See accompanying instructions regarding completion of this Form.** If you require additional assistance, you may contact the Water Rights Compliance Assurance Team (WRCAT) at (512) 239-4691.

1. Indicate: **Water Rights Permit No.** _____, **or Certificate of Adjudication No.** _____
2. Provide the contact information for the person TCEQ may contact while processing this form. Please verify that the mailing address is recognized by the US Postal Service (USPS) on the USPS website at <https://tools.usps.com/go/ZipLookupActioninput.action>.

Contact Name: WILLIAM E. DEMPSEY, SR.

Mailing Address: 7112 FM 192

City: FORT HANCOCK State: TEXAS ZIP Code + four: 79839 - 3957

Telephone No(s). Home: 915-309-8711 Office: 915-227-4497 Fax: 915-986-2478

Email Address: [REDACTED]

3. Provide the Full Legal Name of each new owner of the water right and the address information of each owner (for Notices and communications once the water right ownership has been updated) in the spaces below. ****Note - The names of the new owner(s) must match the legal recorded conveyance documents that prove the change of ownership. Additionally, if a new owner is an entity, the legal name must match the name as filed with the Texas Secretary of State, County, or any other legal documents forming the entity.***

Please verify that the mailing address is recognized by the USPS website at <https://tools.usps.com/go/ZipLookupActioninput.action>.

First New Owner's Name(s): WILLIAM E. DEMPSEY, SR.

Mailing Address: 7112 FM 192

City: FORT HANCOCK State: TEXAS ZIP Code + four: 79839

For additional new owners, submit address(es) below or on a supplemental sheet(s).

Additional New Owner(s) Contact Information:

MARIA G. DEMPSEY

7112 FM 192

FORT HANCOCK, TEXAS 79839

- a. Is any new owner a Corporation, a Limited Partnership, a Limited Liability Company, or Limited Liability Partnership registered with the Texas Secretary of State?
Yes or No No

If yes, provide Secretary of State Filing Number(s): _____. You may verify an entity's name and filing number at <http://www.sos.state.tx.us/corp/sosda/index.shtml>

4. If a new owner is currently a customer with the TCEQ, provide the Customer Number (CN) below. You may search for an Owner's CN on the TCEQ website at <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN: _____ (leave blank if the new owner does not yet have a CN).

5. Pursuant to Title 30 Texas Administrative Code (TAC) §§ 297.81-297.83, relating to Conveyances of Land and Water Rights, **the following additional items must be submitted or the Form may be returned without processing.**

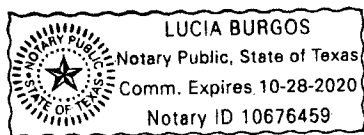
- This "**Change of Ownership**" Form fully completed, signed, and notarized.
- Documents establishing a **complete chain of title** from the owner of record to the new owner. All such conveyance documents must be copies of **Certified** and/or **Recorded** documents on file in applicable county property records. (These documents usually consist of **deeds and other such conveyances** or, in case of an inheritance usually, the (a) **will**, (b) **probate order** and (c) **will inventory**).
- \$100 recording fee** for processing the Change of Ownership Form for the water right. Make your remittance payable to Texas Commission on Environmental Quality.

6. **Please Note** - if the water right is located in an area of a river basin under the jurisdiction of a TCEQ Watermaster, the water right may not be used if there are any outstanding penalties, fees, or interest related to the water right. You may contact the applicable Watermaster to verify there are no outstanding fees, penalties, and interest related to the water right. **Rio Grande Watermaster, (956) 430-6046; Concho Watermaster and South Texas Watermaster, (210) 490-3096; Brazos Watermaster, (254) 761-3006.**

William E. Dempsey, Sr.
Name (sign)

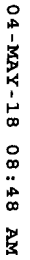
WILLIAM E. DEMPSEY, SR.
Name (print)

Subscribed and sworn to me as being true and correct before me this 26 day of April, 20 18.



Lucia Burgos
Notary Public, State of Texas

Submit this completed Form and all required items to:
Texas Commission on Environmental Quality
Water Rights Compliance Assurance Team (WRCAT) MC160
PO Box 13088, MC-160
Austin, Texas 78711-3088
Telephone (512) 239-4691, FAX (512) 239-2214
WRAS@tceq.texas.gov



<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Account Name</u>
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<u>Ref#1</u>	<u>Check Number</u>	<u>CC Type</u>
<u>Ref#2</u>	<u>Card Auth.</u>	<u>Tran Code</u>
<u>Paid In By</u>	<u>User Data</u>	<u>Rec Code</u>

Slip Key
Document#

Tran DateTran Amount

WTR USE PERMITS

WUP

M823585

1468

BS000065932

04-MAY-18

-\$100.00

WUP

WATER USE PERMITS

DEMPSEY,

SPREDEAU

CK

G/WILLIAM E

Total (Fee Code):

- \$100.00

Grand Total:

- \$5,910.00

WATER AVAILABILITY DIV.

TCEQ Interoffice Memorandum

To: Records Management

Date: December 15, 2015

From: Groundwater & Permitting Support
Section
Water Availability Division

Certificate of Adjudication No. 23-900
Hudspeth County
Rio Grande River Basin
Water Right: 195 ac/ft Impoundment
1500 ac/ft Irrigation

Subject: Change of Ownership

Delete: Raymond L. Dietert and Nicky Hartdegen, as owners

Add: Darwin Ray Nilsson and Regina Marie Nilsson, as owners

The *Deed* dated November 19, 2010 and recorded as Document No. 133368, the *General Warranty Deed with Vendor's Lien in Favor of Grantor* dated June 1, 2015 recorded as Document No. 00000141393, in the Official Public Records of Hudspeth County have been checked and found to cover the water right. The \$100 in application fee was received on September 29th, 2015 (Receipt No. M601787).

Ownership of Record with address and remarks:

Mr. Darwin Ray Nilsson and Mrs. Regina Marie Nilsson
6106 Guyler Street
Wallis, Texas 77485-4017


Change Initiated

Data Entry Made

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niernmann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 15, 2015

Mr. Darwin Ray Nilsson and Mrs. Regina Marie Nilsson
6106 Guyler Street
Wallis, Texas 77485-4017

RE: Change of Ownership

Dear Mr. & Mrs. Nilsson:

Based upon receipt of the *Change of Ownership Form*, *The Deed, General Warranty Deed with Vendor's Lien in Favor of Grantor*, and \$100 in application fees (Receipt No. M601787), we are changing our records to reflect you as owners of Certificate of Adjudication No. 23-900.

Certificate of Adjudication No. 23-900 authorizes the impoundment of a 195 acre-foot off-channel reservoir located in the West part of Samuel A. Maverick Survey 119, Abstract 1817; a 200 acre-foot reservoir located in the West part of Samuel A. Maverick survey 122, Abstract 1820; and the diversion and use 1,500 acre-feet of water per year from the Rio Grande River, Arroyo bayou, and unnamed tributaries in the Rio Grande Basin, for agricultural purposes to irrigate 500 acres out of a 1,542.24-acre larger tract comprised of: all of the S. A. Maverick Surveys 184, Abstract 1840; 119, Abstract 1817; 120, Abstract 1818; 121, Abstract 1819; 122, Abstract 1820; 123, Abstract 1821; McKinney & Williams Surveys 124, abstract 2139; 125, Abstract 2140; and the land located to the West of the Dave Gill Canal within: the O. D. Pruitt Surveys 26, Abstract 2423 & 2426; W. L. Dunham Survey 327, Abstract 716; and C.L. Owen Survey 179, Abstract 2281; Hudspeth County.

Please keep in mind that the 1,500 acre-feet of water for agricultural purposes are appurtenant to the entire 1,542.24 acres of land referenced above. As such, a conveyance of *any* portion of these acres, in the future, will automatically carry a *proportionate* share of the water right to the new owner unless it specifies otherwise in the conveyance.

If you have any questions concerning this matter please contact me via e-mail at Megan.Brown@tceq.texas.gov or by telephone at (512) 239-2248.

Sincerely,

A handwritten signature in black ink, appearing to read "Megan E. Brown".

Megan E Brown
Change of Ownership Specialist, MC 160
Water Rights Compliance Assurance Team
Water Availability Division

cc: Rio Grande Watermaster's Office
Kent Waggoner, TCEQ Reg. 6



Texas Commission on Environmental Quality

PO Box 13088, MC-160
Austin, Texas 78711-3088
Telephone (512) 239-4691, FAX (512) 239-4770

CHANGE OF OWNERSHIP FORM

Request for Transfer of

☐ Permit No. _____

☒ Certificate of Adjudication No. 0900-000

Pursuant to TAC 297.81-297.83 relating to Conveyances of Land and Water Rights, the owners must provide the completed copy of this "Change of Ownership" form together with the following:

- (1) **Certified** and/or **recorded** copies of legal documents establishing a complete chain of title from the owner of record to the current owner. These documents usually consist of **deeds and other such conveyances** or, in case of an inheritance, the (a) **will**, (b) **probate order** and (c) **will inventory**.
- (2) **\$100 fee** for changing the ownership records of the permit/certificate of adjudication. Make your remittance payable to Texas Commission on Environmental Quality.

New Owner's Name: Darwin Ray Nilsson and Regina Marie Nilsson

Address: 6106 Gygler Street, Wallis, TX 77485

Telephone No(s). : Home: 832-773-4574 Office: _____ Fax: _____

Email Address: _____

Customer Reference Number (if issued): CN _____

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

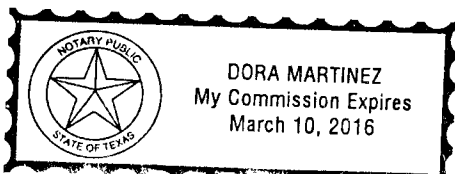
Darwin Ray Nilsson
Name (sign)

DARWIN RAY NILSSON
Name (print)

Regina Marie Nilsson
Name (sign)

Regina Marie Nilsson
Name (print)

Subscribed and sworn to me as being true and correct before me this 24th day of September, 2015



Dora Martinez
Notary Public, State of Texas

2015 SEP 30 AM 10 19



29-SEP-15 10:08 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Account Name</u>	<u>Ref#1</u>	<u>Ref#2</u>	<u>Paid In By</u>	<u>Check Number</u>	<u>CC Type</u>	<u>Card Auth.</u>	<u>User Data</u>	<u>Tran Code</u>	<u>Rec Code</u>	<u>Slip Key</u>	<u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP			M601786			1021									
	WUP			ADJ123714			092815									
			WATER USE PERMITS	PARKS,			RCROWDER									
				DEBRA												
				ELAINE/TRUS												
				TEE												
	WUP			M601787			22851886364									
	WUP			ADJ0900000			092815									
			WATER USE PERMITS	NILSSON,			RCROWDER									
				DARWIN												
	WUP			M601788			986									
	WUP			ADJ232811			092815									
			WATER USE PERMITS	LOPEZ,			RCROWDER									
				JUAN/ANABEL												
				IA												

Total (Fee Code) :

-\$300.00

Grand Total:

-\$3,920.00

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2015

Darwin Ray and Regina Marie Nilsson
6106 Guyler Street
Wallis, TX 77485

CERTIFIED MAIL

91 7199 9991 7033 2999 8460

RE: Change of Ownership

Certificate of Adjudication No. 23-900 authorizes the impoundment of a 195 acre-foot off-channel reservoir located in the West part of Samuel A. Maverick Survey 119, Abstract 1817; a 200 acre-foot reservoir located in the West part of Samuel A. Maverick survey 122, Abstract 1820; and the diversion and use 1,500 acre-feet of water per year from the Rio Grande River, Arroyo bayou, and unnamed tributaries in the Rio Grande Basin, for agricultural purposes to irrigate 500 acres out of a larger tract comprised of: all of the S. A. Maverick Surveys 184, Abstract 1840; 119, Abstract 1817; 120, Abstract 1818; 121, Abstract 1819; 122, Abstract 1820; 123, Abstract 1821; McKinney & Williams Surveys 124, abstract 2139; 125, Abstract 2140; and the land located to the West of the Dave Gill Canal within: the O. D. Pruitt Surveys 26, Abstract 2423 & 2426; W. L. Dunham Survey 327, Abstract 716; and C.L. Owen Survey 179, Abstract 2281; Hudspeth County.

Dear Mr/ & Mrs. Nilsson:

This acknowledges receipt of the *Change of Ownership Form, General Warranty Deed with Vendor's Lein in Favor of Grantor*, and \$100 change of ownership fee (M601787, enclosed). Pursuant to Texas Administrative Code §297.81-297.83, Relating to Conveyances of Land and Water Rights, before the change of ownership can be completed, please provide the following information:

1. **Recorded** deed(s) or other conveyance documents(s) from Raymond L. Dietert and Nicky Hartdegen to Raymond L. Dietert and Nicky Hartdegen Revocable Trust.
2. A copy of the metes and bounds (legal description of the land) and a plat map.

Pursuant to 30 Texas Administrative Code §281.18, please submit the requested information by **November 9, 2015**.

If you have any questions concerning this matter please contact me via e-mail at Megan.Brown@tceq.texas.gov or by telephone at (512) 239-2248.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan E. Brown', with a long horizontal flourish extending to the right.

Megan E. Brown,
Water Rights Change of Ownership Specialist, MC-160
Water Rights Compliance Assurance Team
Water Availability Division

Enclosures

Cc: Rio Grande Watermaster Office
TCEQ Region 6 Kent Waggoner

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

General Warranty Deed with Vendor's Lien in Favor of Grantor, from RAYMOND L. DIETERT and NICKY HARTDEGEN REVOCABLE TRUST, RAYMOND L. DIETERT and NICKY HARTDEGEN, Trustees to DARWIN RAY NILSSON and REGINA MARIE NILSSON.

Date: June 1, 2015

Grantor: RAYMOND L. DIETERT and NICKY HARTDEGEN REVOCABLE TRUST, RAYMOND L. DIETERT and NICKY HARTDEGEN, Trustees

Grantor's Mailing Address: P.O. Box 1253, Luling, Caldwell County, Texas 78648

Grantee: DARWIN RAY NILSSON and REGINA MARIE NILSSON

Grantee's Mailing Address: 6106 Guyler Street, Wallis, Austin County, Texas 77485

Consideration: Cash and a note of even date executed by Grantee and payable to the order of RAYMOND L. DIETERT and NICKY HARTDEGEN REVOCABLE TRUST, RAYMOND L. DIETERT and NICKY HARTDEGEN, Trustees in the principal amount of ONE MILLION TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$1,250,000.00), bearing interest and being payable as therein provided, said note providing for acceleration of maturity in the event of default and for attorney fees; the payment of which note is further secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to BRENTLY W. FREE, trustee.

Property (including any improvements):

A parcel of land being all or part of deeds recorded in Volume 123, Page 428, and Volume 44, page 165, Deed Records, Hudspeth County, Texas, and situated in the S.A. MAVERICK SUEVEYS, Numbered ONE HUNDRED EIGHTY-FOUR (184), ONE HUNDRED NINETEEN (119), ONE HUNDRED TWENTY (120), ONE HUNDRED TWENTY-ONE (121), ONE HUNDRED TWENTY-TWO (122), ONE HUNDRED TWENTY-THREE (123), ONE HUNDRED TWENTY-FOUR (124), ONE HUNDRED TWENTY-FIVE (125), ONE HUNDRED SEVENTY-NINE (179); DUNHAM SURVEY NO. 327; Section TWENTY-SIX (26), Block "A", Texas & Pacific Railway Company Surveys; GOVERNMENT PARCEL NO. ONE HUNDRED NINETEEN (119); GOVERNMENT PARCEL NO. ONE HUNDRED FOURTEEN (114); EL GUAYUCO BANCO Numbered THREE HUNDRED NINETEEN (319); and EL CALERO BANCO Numbered THREE HUNDRED SIXTEEN (316), Hudspeth County, Texas, said parcel being more particularly described by metes and bounds in Exhibit "A"



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VIRGINIA DOYAL COUNTY CLERK
HUDSPETH COUNTY, TEXAS
PAGE 1 OF 7

Handwritten signature/initials

RECEIVED
TO REG
WATER SUPPLY DIV.
JUN 10 PM 3 06

attached hereto and made a part hereof, including all water rights in, on and under the Property, including those set forth in the final decree of the 201st District Court of Travis County, Texas, in Cause No. 245,154, In Re: The Adjudication of Water Rights in the Lower Rio Grande and Tributaries of the Rio Grande Basin, dated August 13, 1976, a right which was recognized under Permit No. 776 and Claim No. 245S authorizing Fort Quitman Land Company to appropriate waters of the State of Texas; including the Certificate of Adjudication, Dated April 24, 1977 from the Texas Water Rights Commission to Fort Quitman Land Co., of record in Volume 124, Page 269 of the Deed Records, Hudspeth County, Texas, as well as any rights in that certain Order Amending Permit dated September 27, 1965 from Texas Water Rights Commission to Fort Quitman Land Co., of record in Volume 92, Page 373, Deed Records, Hudspeth County, Texas, and the Amendment to Permit to Appropriate State Water Dated October 22, 1968 and recorded in Volume 101, Page 301, Deed Records, Hudspeth County, Texas (the "Property").

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: All presently recorded restrictions, reservations, easements, covenants and conditions that affect the property; taxes for the year 2015, the payment of which Grantee assumes; and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes, or, if grantor is to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes, including the following:

- (a) Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or protrusions or any overlapping of improvements;
- (b) Standby fees, taxes and assessments by any taxing authority for the year 2015 and subsequent taxes and assessments for any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year, which Grantees assume;
- (c) Utility easements and prescriptive rights visible and apparent on the ground, including easements, or claims of easements which are not recorded in the public records;
- (d) Claims made by the Tigua Indian Tribe of the Ysleta Del Sur Pueblo, as evidenced by that certain Affidavit concerning filing of Notice of Claim to the Ysleta Grant and Aboriginal Title Areas, executed by Julian Granillo, Governor of the Ysleta Del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, dated August 12, 1993, filed August 19, 1993, in Volume 195, Page 385 of the Real Property Records, Hudspeth County, Texas;
- (e) Mineral reservations and/or mineral interests as set out in Volume 45, Page 624; Volume 123, page 341 and Volume 126, Page 270, Deed Records, Hudspeth County, Texas;
- (f) Easement for irrigation ditch from Fort Quitman Land Company to Dave



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VIRGINIA DOYAL, COUNTY CLERK
HUDSPETH COUNTY, TEXAS
PAGE 2 OF 7

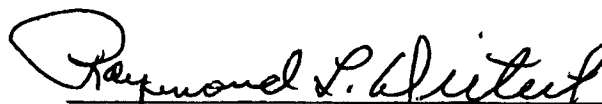
RD 74

- Gill and Virginia Gill, of record in Volume 48, Page 442, Deed Records, Hudspeth County, Texas;
- (g) Easement for irrigation ditch dated June 24, 1940 from Dave Gill and Virginia Gill to P. R. Price, of record in Volume 40, Page 279, Deed Records, Hudspeth County, Texas;
 - (h) All matters emanating from the establishment of the Ft. Hancock water Control and Improvement District;
 - (i) Rights of the Way to the State of Texas, of record in Volume 51, Page 317, Deed Records, Hudspeth County, Texas (Across Section 26, Block "A". T&P);
 - (j) Easement dated April 12, 1993, from Richard Rosen to El Paso Electric Co., of record in Volume 196, Page 862, Real Property Records, Hudspeth County, Texas (S.A. Maverick 120);
 - (k) Rights of parties as evidenced by electric line as shown on survey dated February 22, 2008, by Raymond Dietert;
 - (l) Claim(s) of parties adverse to the record owner to that portion of the Property lying outside the barbed wire along the Property as shown on survey dated February 22, 2008, by Raymond Dietert;
 - (m) Claim(s) of parties adverse to the record owner to that portion of the Property lying between the barbed wire fence and the Property line as shown on survey dated February 22, 2008, by Raymond Dietert;
 - (n) Rights of adjoining owners in yard party barbed wire fence along the Property line as shown on survey dated February 22, 2008, by Raymond Dietert;
 - (o) Rights of parties as evidenced by gravel road as shown on survey dated February 22, 2008, by Raymond Dietert.

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

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

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



RAYMOND L. DIETERT, Trustee of the RAYMOND L.
and NICKY HARTDEGEN REVOCABLE TRUST



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VIRGINIA DOYAL, COUNTY CLERK
HUDSPETH COUNTY, TEXAS
PAGE 3 OF 7

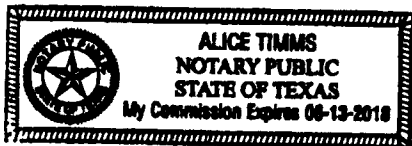


Nicky Hartdegen
NICKY HARTDEGEN, Trustee of the RAYMOND L.
and NICKY HARTDEGEN REVOCABLE TRUST

THE STATE OF TEXAS *

COUNTY OF COMAL *

This instrument was acknowledged before me on this the 1st day of June, 2015, by RAYMOND L. DIETERT and NICKY HARTDEGEN REVOCABLE TRUST, RAYMOND L. DIETERT and NICKY HARTDEGEN, Trustees.



Alice Timms
NOTARY PUBLIC, STATE OF TEXAS
Notary's Name Printed: Alice Timms
My Commission Expires: 6-13-2018

AFTER RECORDING RETURN TO:
BRENTLY W. FREE, LLC
P.O. BOX 310953
New Braunfels, Texas 78131

PREPARED IN THE LAW OFFICE OF:
BRENTLY W. FREE, LLC
P. O. Box 310953
New Braunfels, Texas 78131

FILED FOR RECORD

AT 9:45 O'CLOCK A. M.

ON THE 4th DAY OF June

A.D., 2015

STATE OF TEXAS

COUNTY OF HUDSPETH

I hereby certify that this instrument
was FILED on the date and at the time
stamped hereon by me and was duly
RECORDED in the Volume and Page
of the 00000141393
Records of Hudspeth County, Texas

Hon. Virginia Doyal

COUNTY CLERK HUDSPETH COUNTY, TEXAS

BY [Signature]
DEPUTY



COUNTY CLERK
HUDSPETH COUNTY, TEXAS



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VIRGINIA DOYAL, COUNTY CLERK
HUDSPETH COUNTY, TEXAS
PAGE 21 OF 2

EXHIBIT "A"

Raymond Dietert
Registered Professional Land Surveyor No. 1868
P. O. Box 1253
Luling, Texas 78648
Phone 830-875-9592 Fax 830-875-2658

February 20, 2008

Field Notes describing 1751.72 acres of land, being all or part of deeds recorded in Volume 123, Page 428, Deed Records, and Volume 44, Page 163, Deed Records situated in the S. A. Maverick Surveys Nos. 184, 119, 120, 121, 122, 123, 124, 125, 179, Dunham Survey No. 327, Section 26, T.&P. Railroad Survey, Block A, Government Parcel No. 119, Government Parcel No. 114, El Guayuco Banco No. 319, El Calero Banco No. 316 Hudspeth County, Texas:

Beginning at a 2 inch pipe found marking the north corner of the S. A. Maverick Survey No. 119, the west corner of Lot No. 7, Quitman Ranch Subdivision, Cabinet A, Slide 290 Map and Plat Records and situated in the southeast line of Lot No. 6, Quitman Ranch Subdivision, the north corner of Tract One called 170.715 acres in Volume 123, Page 428, Deed Records;

Thence with the southwest line of Lots 7, 8, 9A, and 9B Quitman Ranch Subdivision S45°08'41"E 1866.39 feet to a pipe found marking the east corner of the S. A. Maverick Survey No. 119, S44°49'22"W 169.35 feet to a pipe found marking the north corner of S. A. Maverick No. 120 S45°09'36"E at 1468.23 feet the north R.O.W. of a road and in all 1519.08 feet to an iron pin found marking the south R.O.W. of a road and S45°10'13"E 347.38 feet to an iron pin found marking the east corner of the S. A. Maverick Survey No. 120, the south corner of Lot 9B, Quitman Subdivision;

Thence N45°48'31"E 264.54 feet to an iron pin set for the north corner of the S. A. Maverick Survey No. 121, the west corner of Valley Ranch Subdivision;

Thence S45°11'16"E 1866.13 feet to an iron pin set for the east corner of the S. A. Maverick Survey No. 121;

Thence N45°48'31"E 230.57 feet to a pipe found marking the north corner of the S. A. Maverick Survey No. 122;

Thence S45°14'37"E 933.47 feet to a pipe found marking the south corner of the Valley Subdivision, the west corner of the Larry Theodore and Rejeanne Bishop 160 acre tract described in Volume 108, Page 1025 Deed Records and S45°07'54"E 932.66 feet to a pipe found marking the east corner of the S. A. Maverick Survey No. 122, a recentrant corner of the Larry Theodore and Rejeanne Bishop 160 acre tract;

Thence S44°50'23"W 1383.48 feet to a fence corner marking the west corner of the Larry Theodore and Rejeanne Bishop 160 acre tract, the north corner of the S. A. Maverick Survey No. 123;

1 of 3



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VIRGINIA DOYAL COUNTY CLERK
HUDSPETH COUNTY, TEXAS
PAGE 5 OF 7

EXHIBIT "A"

Raymond Dietert
Registered Professional Land Surveyor No. 1868
P. O. Box 1253
Luling, Texas 78648
Phone 830-875-9592 Fax 830-875-2658

Thence S45°10'00"E at 1231.22 feet past the southeast corner of the 400 acres described in Volume 44, Page 165 Deed Records, the north corner of the 76.36 acre tract part of the 1837.37 acre tract described in Volume 44, Page 165, Deed Records and in all 1868.72 feet to an iron pin found marking the east corner of the S. A. Maverick Survey No. 123, the south corner of Section 25, Block A, T. & P. Railroad Survey and situated in the northwest line of Section 26, Block A, T. & P. Railroad Survey;

Thence N44°50'59"E 2247.01 feet to an iron pin found marking the east corner of the Larry Theodore and Rejanne Bishop 160 acre tract, the point of intersection with the southwest R.O.W. of Farm to Market Road No. 192 and the west corner of the Quitman County Estates Inc. 971.022 acre tract bears N44°50'59"E 100.00 feet;

Thence with the southwest R.O.W. of Farm to Market Road No. 192, with an arc to the right of 160.46 feet, a radius of 2814.80 feet a long chord of S40°27'57"E 160.44 feet to a R.O.W. monument, S38°49'37"E 4835.30 feet to a point marking a p. c., S45°39' feet with the arc of a curve to the left, with a radius of 6679.61 feet, a long chord of S41°33'38"E 545.74 feet to a R.O.W. monument, S44°14'37"E 130.63 feet to a fence corner marking the north corner of a cemetery;

Thence S37°23'35"W 227.76 feet to a fence corner marking the west corner of the cemetery, S59°18'06"E 102.81 feet to a fence corner marking the south corner and N30°16'01"E 206.12 feet to a fence corner marking the east corner of the cemetery and situated in the southwest R.O.W. of Farm to Market Road No. 192;

Thence with the southwest R.O.W. of Farm to Market Road No. 192 S44°14'37"E 656.04 feet to a point from which the south corner of the Quitman County Estates, Inc. 971.022 acre tract bears N44°50'00"E 100.01 feet and a fence corner bears N48°54'29"W 8.51 feet;

Thence S44°50'00"W 3782.50 feet to a point in the north line of the U. S. International Boundary and Water Commission boundary line located 22 meters north of the centerline of the U. S. levee as shown on map 6206-56 of the Rio Grande Rectification El Paso-Juarez Valley, Dated August 5, 1943 and a pipe found marking the north corner of the S. A. Maverick Survey No. 120 bears N32°53'24"W 14,195.19 feet;

Thence parallel with and 22 meters to the north of the centerline of the U. S. levee, 941.88 feet along the arc of a curve to the left with a radius of 1423.42 feet a long chord of N74°33'03"W 924.79 feet to a point and a pipe found marking the north corner of the S. A. Maverick Survey No. 120 bears N30°17'01"W 13,518.27 feet, continuing S16°29'34"W 3065.62 feet to a point and a pipe found marking the north corner of the S. A. Maverick Survey No. 120 bears N17°34'34"W 12,441.93 feet, continuing 1508.93 feet along the arc of a curve to the right with a radius of 1082.27 feet, a long chord of N53°33'56"W 1389.65 feet to a point and a pipe found marking the north corner of the S.



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VIRGINIA DOYAL, COUNTY CLERK

INDUSTRIAL COUNTY, TEXAS

PAGE 6 OF 7

EXHIBIT "A"

Raymond Dietert
Registered Professional Land Surveyor No. 1868
P. O. Box 1253
Luling, Texas 78648
Phone 830-875-9392 Fax 830-875-2658

A. Maverick Survey No. 120 bears N13°26'57"W 11,346.96 feet, continuing N13°33'35"W 4474.19 feet to a point and a pipe found marking the north corner of the S. A. Maverick Survey No. 120 bears N13°22'38"W 6872.78 feet, continuing 1937.10 feet with the arc of a curve to the left with a radius of 2049.69 feet, a long chord of N40°58'40"W 1883.60 feet to a point and a pipe found marking the north corner of the S. A. Maverick Survey No. 120 bears N03°51'24"W 5276.20 feet, continuing N68°19'56"W 1144.70 feet to a point in the wall of a canal marking the west corner of a 26.66 acre tract conveyed to the U. S. A. by Pascual Mier and Luz S. Mier Volume 61, Page 491 Deed Records;

Thence N19°04'08"E 69.32 feet to a point in the wall of a canal and N25°54'08"E 231.36 feet to a pipe found marking the east corner of the 26.66 acre U. S. A. tract;

Thence N68°19'53"E (basis of orientation) 2009.76 feet to a pipe found marking an angle point and N41°15'06"W 1516.67 feet to a pipe found marking the north corner of the U. S. A. 26.66 acre tract and situated in the east boundary line of the east levee;

Thence with the east boundary line of the east levee N08°34'46"W 2176.70 feet to an iron pin set at the end of the levee;

Thence N09°41'28"W 659.71 feet to a pipe found in the common line between the S. A. Maverick Survey No. 183 and S. A. Maverick Survey No. 184, being also the southeast line of Lot 4, Quitman Ranch Subdivision;

Thence N44°52'43"E 1012.39 feet to a pipe found marking the north corner of the S. A. Maverick Survey No. 184, the west corner of Lot 5 of the Quitman Ranch Subdivision;

Thence S45°08'12"E 972.30 feet to an iron pin found marking the east corner of the S. A. Maverick Survey No. 184, the south corner of Lot 6, Quitman Ranch Subdivision;

Thence N44°51'24"E 1816.96 feet to the place of beginning and containing 1751.72 acres of land. The orientation of the bearings is based on north being established by a Global Positioning System.

I hereby certify this set of field notes were prepared from a survey made on the ground under my supervision in February, 2008 and from information from the County Clerks Office of Hudspeth County, Texas and maps from the U. S. International Boundary and Water Commission offices in El Paso, Texas.

Raymond Dietert
Raymond Dietert, R.P.L.S. 1868
Pa-hudspethco-1751.72ac-08



A CERTIFIED COPY

VIRGINIA DOYAL, COUNTY CLERK
HUDSPETH COUNTY, TEXAS

PAGE 7 OF 7

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.

DEED

THE STATE OF TEXAS

§

§

Know All Men By These Presents:

COUNTY OF HUDSPETH

§

RECEIVED
TOEO
WATER SUPPLY DIV.
2015 NOV 10 PM 3 05

THAT RAYMOND LEE DIETERT (also known as RAYMOND DIETERT) and NICKY HARTDEGEN, of Guadalupe County, Texas (hereinafter referred to jointly as "Grantor") for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by RAYMOND LEE DIETERT and NICKY HARTDEGEN, co-trustees (such co-trustees hereinafter referred to as "Grantee") of the RAYMOND L. DIETERT AND NICKY HARTDEGEN REVOCABLE TRUST (the "Trust"), such Trust having been established under that certain revocable trust agreement dated August 30, 2010, by and between RAYMOND LEE DIETERT (also known as RAYMOND DIETERT) and NICKY HARTDEGEN of Guadalupe County, Texas, as grantors and as co-trustees, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto Grantee, all of Grantor's interest in and to the real property together with all improvements situated thereon described on the attached Exhibit "A" (such interest is hereinafter referred to as "Subject Property").

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

The conveyance made hereby, and the warranties made hereunder, are made by Grantor and accepted by Grantee subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, and other exceptions to title, if any, relating to the Subject Property, but only to the extent they are still in force and effect and shown of record in Hudspeth County, Texas, and to all zoning laws, regulations



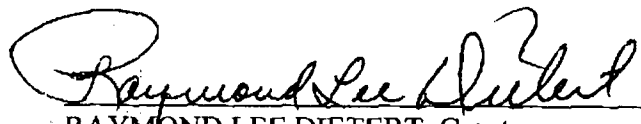
and ordinances of municipal and/or other governmental or quasi-governmental authorities, if any, relating to the Subject Property and to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

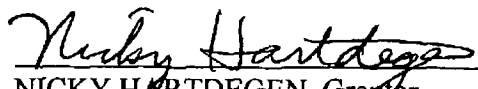
TO HAVE AND TO HOLD the Subject Property, to the extent conveyed hereby, subject to the terms and provisions contained herein, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, personal representatives, successors and assigns to warrant and forever defend all and singular the Subject Property, to the extent conveyed hereby, unto Grantee and Grantee's heirs, executors, administrators, personal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Following the conveyance made by this deed, the RAYMOND L. DIETERT AND NICKY HARTDEGEN REVOCABLE TRUST shall own all of the Subject Property.

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

EXECUTED on November 19, 2010.


RAYMOND LEE DIETERT, Grantor


NICKY HARTDEGEN, Grantor

ADDRESS OF GRANTEE:

RAYMOND LEE DIETERT and NICKY HARTDEGEN
Co-Trustees of the RAYMOND L. DIETERT and NICKY HARTDEGEN REVOCABLE TRUST
2060 S. Magnolia Ave.
Luling, Texas 78648

AFTER RECORDING RETURN TO:

RAYMOND L. DIETERT and NICKY HARTDEGEN
2060 S. Magnolia Ave.
Luling, Texas 78648



THE STATE OF TEXAS

§

§

COUNTY OF COMAL

§

This instrument was acknowledged before me on November 19, 2010, by RAYMOND LEE DIETERT.



Alice Timms

Notary Public, State of Texas

THE STATE OF TEXAS

§

§

COUNTY OF COMAL

§

This instrument was acknowledged before me on November 19, 2010, by NICKY HARTDEGEN.



Alice Timms

Notary Public, State of Texas

COUNTY OF HUDSPETH)
STATE OF TEXAS) ss

DEED
PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 28TH Day Of December, 2010 at 09:37:57 AM
And Was Duly Recorded as Instrument # 133368
Of The Records Of Hudspeth

Branda Sanchez

Witness My Hand And Seal Of Office
Abigail Ortega
Deputy/County Clerk, Hudspeth, TX



EXHIBIT "A"

All of that tract or parcel of land Block A, Government Parcel No. 119, Government Parcel No. 114, El Guayuco Banco No. 319, El Calero Banco No. 316, Hudspeth County, Texas according to the Plat showing 1751.72 acres of land, being all or parts of deeds recorded in Volume 123, Page 428, Deed Records and Volume 44, Page 165, Deed Records situated in the S. A. Maverick Surveys NOS. 184, 119, 120, 121, 122, 123, 124, 125, 179, Dunham Survey No. 327, section 26, T & P Railroad Survey.



A CERTIFIED COPY

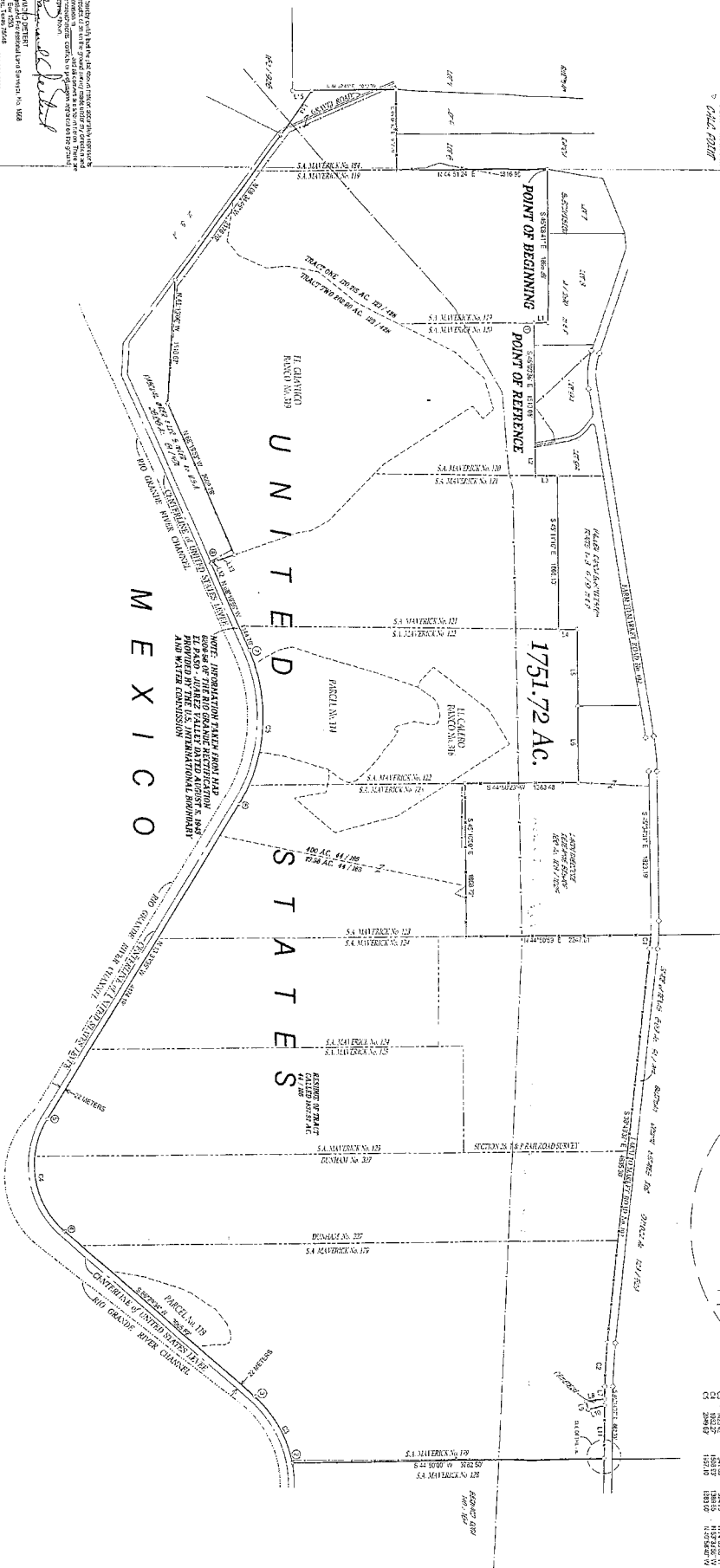
VIRGINIA DOYAL, COUNTY CLERK

HUDSPETH COUNTY, TEXAS

PAGE 4 OF 4

- FROM PIPE FOUND
- FROM PIN FOUND
- FROM PIN SET
- FENCE CORNER
- CORN. MEET. PND
- CHLO. POINT

Subject To:
Easement for irrigation ditch from Fort Quitman Land Company to Dave Gill and Virginia Gill, Volume 48, Page 442, Deed Records, Hudspeth County, Texas.
Easement for irrigation ditch from Dave Gill and Virginia Gill to P. R. Price, Volume 40, Page 279, Deed Records, Hudspeth County, Texas.
Easement to El Paso Electric Co., Volume 196, Page 862, Real Property Records, Hudspeth County, Texas.

[illegible]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Request for Refund

Instructions: To refund a payment, the program must complete and sign this form. Keep the goldenrod copy for your program's files, attach the program's copy of the cashier's receipt to the remaining copies, and return to Financial Administration/Revenue, MC-214. If you have any questions, please call Revenue at ext.0360.

1. Receipt No. M823585 2. Check No. 1468

3. Receipt Amount: \$100 4. Refund Amount: \$100

5. Revenue Type (check one):

- | | | |
|---|--|--|
| <input type="checkbox"/> Administrative Penalty | <input type="checkbox"/> G.P. Wastewater (GPW) | <input type="checkbox"/> Sludge Stickers (WSS) |
| <input type="checkbox"/> Air Emissions (AEF) | <input type="checkbox"/> G.P. Water Discharge Applic. (GPA) | <input type="checkbox"/> Solid Waste Disposal (SWD) |
| <input type="checkbox"/> Air Inspection (EIF) | <input type="checkbox"/> Haz. & Nonhaz. Fac. (HWF/NWF) | <input type="checkbox"/> Surface Disposal (SDP) |
| <input type="checkbox"/> Air Permit (APF) | <input type="checkbox"/> Haz. & Nonhaz. Gen. (HWG/NWG) | <input type="checkbox"/> Toxic Reporting (TOX) |
| <input type="checkbox"/> Air Permit Renewal (PCF) | <input type="checkbox"/> Haz. Waste Permit (HWP) | <input type="checkbox"/> Voluntary Clean-up (VCP/ILP) |
| <input type="checkbox"/> Beneficial Land Application (BLP) | <input type="checkbox"/> Lab Accreditation | <input type="checkbox"/> Wastewater Inspection (WWI) |
| <input type="checkbox"/> Beneficial Land Use (WMB) | <input type="checkbox"/> Licenses (Identify type: _____) | <input type="checkbox"/> WW Trtmt. Research Cncl. (WTR) |
| <input type="checkbox"/> Board of Irrigators (IRR) | <input type="checkbox"/> Onsite Installers Sewage Fac. (OIR) | <input type="checkbox"/> Water Quality Assessment (WQA) |
| <input type="checkbox"/> Certification Fees
(Identify type: _____) | <input type="checkbox"/> PST Registration (AST/UST) | <input type="checkbox"/> Water Quality Permit (WQP) |
| <input type="checkbox"/> Conferences/Seminars
(Identify Project # _____) | <input type="checkbox"/> Plumbing Fixture Stds. (PFS) | <input type="checkbox"/> Water Reg. Utility Assess. (WRU) |
| <input type="checkbox"/> Consolidated Water Quality (CWQ) | <input type="checkbox"/> Postage (PTG Type: _____) | <input type="checkbox"/> Water Use Assessment (WUF) |
| <input type="checkbox"/> DP Services
(Invoice #: _____) | <input type="checkbox"/> Public Health Service (PHS) | <input checked="" type="checkbox"/> Water Use Permit (WUP) |
| <input type="checkbox"/> Edwards Aquifer Applic. (EAS) | <input type="checkbox"/> Sale of CCN/Tsfr./Merger (PUF) | <input type="checkbox"/> Watermasters (STX/RGR) |
| <input type="checkbox"/> G.P. Stormwater (GPS) | <input type="checkbox"/> Sludge Haulers (WMS) | <input type="checkbox"/> Other
(Explain: _____) |

6. Check reason for refund:

- ☐ Overpayment ☐ Fee Not Required ☐ Duplicate Payment
- ☒ Applic. Withdrawn Returned or Incomplete (Circle One) ☐ Applic. didn't require formal action by the full Commission
- ☐ Other (Please explain): _____

7. Fee was filed on behalf of: _____ Permit/Facility/Regis. #: _____
Federal Employer ID # (or SSN): _____ A/R Account #: _____

8. Check Payable to (should match payor on receipt):
Name: William and Maria Dempsey
Attn: _____
Address: 7112 FM 192
City, St., Zip: Fort Hancock, Texas 79839-3957
Telephone No.: 915 227 4497

Mailing Address (if different):

9. Requested By: Mary B... NRS 3 512-239-2248 7/18/2018
Signature Title Phone Number Date

10. Approved By: R. Joseph... Team Leader 512-239-1644 7/18/18
Signature Supervisory Title Phone Number Date

FINANCIAL ADMIN. USE ONLY:	
Agency Voucher No.:	Date:
Warrant No.:	Amount:
Request Processed By:	Date:
Approved By:	Date:
Comptroller Voucher No.:	Date:

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1. Receipt No. MC 214 2. Check No. 1485

3. Receipt Amount: \$100 4. Refund Amount: \$100

5. Revenue Type (check one):

Revenue Use Only	
<input type="checkbox"/> RUX	Receipt Date: _____
<input type="checkbox"/> CUX	Invoice Due Date: _____

- | | | |
|---|--|--|
| <input type="checkbox"/> Administrative Penalty | <input type="checkbox"/> G.P. Wastewater (GPW) | <input type="checkbox"/> Sludge Stickers (WSS) |
| <input type="checkbox"/> Air Emissions (AEF) | <input type="checkbox"/> G.P. Water Discharge Applic. (GPA) | <input type="checkbox"/> Solid Waste Disposal (SWD) |
| <input type="checkbox"/> Air Inspection (EIF) | <input type="checkbox"/> Haz. & Nonhaz. Fac. (HWF/NWF) | <input type="checkbox"/> Surface Disposal (SDP) |
| <input type="checkbox"/> Air Permit (APF) | <input type="checkbox"/> Haz. & Nonhaz. Gen. (HWG/NWG) | <input type="checkbox"/> Toxic Reporting (TOX) |
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| <input type="checkbox"/> Beneficial Land Application (BLP) | <input type="checkbox"/> Lab Accreditation | <input type="checkbox"/> Wastewater Inspection (WWI) |
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(Identify Project # _____) | <input type="checkbox"/> Plumbing Fixture Stds. (PFS) | <input type="checkbox"/> Water Reg. Utility Assess. (WRU) |
| <input type="checkbox"/> Consolidated Water Quality (CWQ) | <input type="checkbox"/> Postage (PTG Type: _____) | <input type="checkbox"/> Water Use Assessment (WUF) |
| <input type="checkbox"/> DP Services
(Invoice #: _____) | <input type="checkbox"/> Public Health Service (PHS) | <input checked="" type="checkbox"/> Water Use Permit (WUP) |
| <input type="checkbox"/> Edwards Aquifer Applic. (EAS) | <input type="checkbox"/> Sale of CCN/Tsfr./Merger (PUF) | <input type="checkbox"/> Watermasters (STX/RGR) |
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(Explain: _____) |

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- ☒ Applic. Withdrawn, Returned, or Incomplete (Circle One) ☐ Applic. didn't require formal action by the full Commission
- ☐ Other (Please explain): _____

7. Fee was filed on behalf of: _____
Federal Employer ID # (or SSN): _____

Permit/Facility/Regis. #: _____
A/R Account #: _____

8. Check Payable to (should match payor on receipt):
Name: City of Dallas
Attn: _____
Address: 711 E. 11th St.
City, St., Zip: Ft. Worth, TX 76102
Telephone No.: 817-251-1417

Mailing Address (if different):

9. Requested By: [Signature] NLS 3 817-251-1415 7/10/10
Signature Title Phone Number Date

10. Approved By: [Signature] T. L. 817-251-1415 7/10/10
Signature Supervisory Title Phone Number Date

FINANCIAL ADMIN. USE ONLY:	
Agency Voucher No.:	Date: _____
Warrant No.:	Amount: _____
Request Processed By:	Date: _____
Approved By:	Date: _____
Comptroller Voucher No.:	Date: _____