

CULBERSON COUNTY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF CULBERSON, STATE OF TEXAS

TRANSFERRED HISTORIC USE PRODUCTION PERMIT

Whereas, Brookshier Pecan Farm Joint Venture applied to the Culberson County Groundwater Conservation District on May 19, 2015, to amend HUPP028 to transfer the permit in ownership to PGF #3 - Wildhorse, LLC;

Whereas, the application to amend HUPP028 does not request any increase in the amount of groundwater authorized to be withdrawn in a year nor any other change other than identified herein;

Now Therefore the Board of Directors hereby certifies that:

**PGF #3 – Wildhorse, LLC
3109 Knox, #411
Dallas, TX 75205**

(“Permittee”), has applied for a transfer of Historic Use Production Permit to withdraw and place to beneficial use groundwater from within the District, and that the Board of Directors of the Culberson County Groundwater Conservation District (“District”) hereby revokes HUPP028 and approves HUPP028A as follows:

1 Permit Category

This permit is a **Historic Use Production Permit** (“HUPP”).

2 Permit Term

The term of this permit is perpetual from the date of issuance.

3 Groundwater Source

The source of groundwater is the Wild Horse Flat Aquifer (the “Aquifer”).

4 Annual Groundwater Withdrawal Amounts

Permittee may withdraw groundwater from the Aquifer for beneficial, nonwasteful use in a manner not to exceed the amount (volume) of 4,095.0 acre-feet per calendar year, subject to any proportional adjustment pursuant to Chapter 5, Subchapter B, of the District Rules. The amount of 4,095.0 acre-feet per calendar year is based on the determination by the District that the applicant owns 819.0 acres of Existing and Historic Irrigated Land, as defined in the District Rules.

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5 Purpose of Use

Permittee may use Aquifer groundwater only for **agricultural uses**, as defined in the District Rules.

6 Well Name(s), Location(s), and Maximum Rate of Withdrawal

Groundwater may be withdrawn from the Aquifer only from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as listed in Exhibit A, attached and incorporated herein.

7 Measurement of Amount of Groundwater Withdrawn

Permittee may withdraw groundwater only from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District Rules.

8 Ownership of Land and Place of Use of Groundwater

Exhibit B, attached and incorporated herein, is a copy of the deeds for land owned by the Permittee and provided by the Permittee in Permittee's HUPP application to the District. The District relied on the information contained in Exhibit B in granting this permit. Permittee may beneficially use Aquifer groundwater only for irrigation of agricultural crops located within the property identified in Exhibit B of this permit.

9 Measurement of Amount of Groundwater Withdrawn

Permittee may only withdraw groundwater from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District Rules.

10 Well Construction, Operation, Maintenance, Closure

The well(s) identified in this permit shall be installed, equipped, operated, maintained, plugged, capped, or closed, as may be appropriate, in accordance with the District Rules and all other applicable federal, state, and local laws. Included in these requirements is the requirement that Permittee shall submit a copy of a state plugging report to the District within 60 days after capping or plugging any well.

11 Water Conservation

Withdrawals of groundwater are required to be efficiently withdrawn and used in compliance with the District Rules and the District's water conservation plan (as may be amended), and Permittee's water conservation plan as approved by the District, as may be applicable.

12 Conveyance to Place of Use

Water authorized by this permit to be produced must be conveyed to the place of use in a manner to prevent evaporation, channel loss by percolation, or waste. Water conveyed greater than a distance of one-half mile from the wellhead where produced must be conveyed through a pipeline.

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13 Meters

Permittee shall install, operate, and maintain meter(s) on the well(s) identified in this permit in compliance with the District Rules and the manufacturer's instructions.

14 Reports

Permittee shall timely file all applicable reports with the District on forms prescribed by the District as required by the District Rules, and other applicable law.

15 Fees

Permittee shall timely pay and remain current on the payment of all applicable fees to the District.

16 Groundwater Management Plan

Permittee shall withdraw and use groundwater only in accordance with the District's approved groundwater management plan, as may be amended.

17 Water Quality

Permittee shall use diligence to protect the water quality of groundwater in the District and shall comply with the District Rules on water quality and shall take no action that pollutes or contributes to the pollution of groundwater in the District.

18 Transfers

Permittee may transfer or amend this permit only in compliance with the District Rules.

19 Change of Address

The Permittee shall provide to the District written notice of any change in the mailing address of the Permittee within 30 days after such address is changed.

20 Inspections by District

Any authorized officer, employee, agent, or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well may be located within the boundaries of the District, including the well(s) identified in Paragraph 6 of this permit, for the purpose of inspecting or testing such wells, meters, pumps, and the power units of a well or wells, collecting water samples, and making any other reasonable and necessary inspections and tests that may be required or necessary for the formulation or the enforcement of the permits, rules, or orders of the District. Permittee has a duty to ensure that the well site is accessible to District representatives for inspection and to cooperate fully in any reasonable inspection of the well(s) and well site by District officers, employees, agents, or representatives.

21 Additional Conditions

This permit is issued subject to the requirements of: (1) Chapter 8816, Texas Special District Local Laws Code; (2) Chapter 36, Texas Water Code; and (3) the District Rules.

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22 Enforcement

The District retains the right to take any and all enforcement actions within its legal authority to enforce compliance with the terms and conditions of this permit.

23 Continuing Jurisdiction of District

This permit is issued subject to the continuing jurisdiction of and supervision by the District, and may be amended from time-to-time consistent with applicable law, including circumstances in which the District learns that any of the information set forth in this permit is incorrect on the date issued.

24 Permit Recordation

Within 30 days of the date of issuance of this approved permit from the District, the District shall record this permit with the Culberson County Clerk.

25 References to Law

Any reference in this permit to a statute, rule, or other law of any kind that exists on the date of issuance of the permit includes all subsequent amendments thereto.

26 Other Matters Denied

All other matters requested in Permittee's application that are not specifically granted by this permit are denied.

THIS PERMIT IS ISSUED, EXECUTED THIS 28th of August, 2015, by the General Manager of the Culberson County Groundwater Conservation District, pursuant to District rules and/or as provided in Ch. 36, Texas Water Code.

Summer Webb

Summer Webb, District General Manager

ACKNOWLEDGMENT

STATE OF TEXAS)

COUNTY OF CULBERSON)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on August 28, 2015, by Summer Webb, General Manager of the Culberson County Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.



Vicky L Jones

Notary Public in and for the State of Texas

CULBERSON COUNTY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF CULBERSON, STATE OF TEXAS

EXHIBIT A

Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate (gpm)</u>
#2 (4759101)	31.115556, -104.719444	600
#3 (4759105)	31.1138888, -104.727778	800
#4 (4759121)	31.118333, -104.713889	1100
#5 (4759108)	31.1125, -104.709167	1000

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 OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

STATE OF TEXAS)
) KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF CULBERSON)

That BROOKSHIER PECAN FARMS JOINT VENTURE (the "Grantor"), for Ten Dollars (\$10.00) cash and other valuable consideration to it in hand paid and agreed to be performed by PGF #3 - WILDHORSE, LLC, a Texas limited liability company (the "Grantee"), whose address is P.O. Box 1447, Bastrop, Texas 78602, as follows:

- (1) Ten Dollars (\$10.00) cash and other valuable consideration;
- (2) Ten Million Dollars (\$10,000,000.00) by execution and delivery by Grantee, among others, of a Promissory Note in that amount payable to the order of Capital Farm Credit, FLCA, bearing interest and payable as provided in said Note; which Note is secured by a Vendor's Lien retained herein and by a Deed of Trust of even date from Grantee to Ben Novosad, Trustee for Capital Farm Credit, FLCA;

has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto the said Grantee, that certain parcel of land situated in Culberson County, Texas described on Exhibit "A", attached hereto and made part hereof (the "Property").

This conveyance is subject only to the following exceptions:

- (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 years 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 Grantee assumes;

- (c) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records;
- (d) Mineral Award dated May 26, 1931, from the State of Texas (J.H. Walker), Commissioner General Land Office to R. Durrill, recorded in Volume 39, page 1, Deed Records of Culberson County, Texas, said Award consisting of 15/16th of all of the minerals, and the State of Texas reserves 1/16th of all the minerals;
- (e) Mineral Award dated May 26, 1931, from the State of Texas to R.B. Durrill, filed for record on July 21, 1932, recorded in Volume 38, Page 632, Deed Records of Culberson County, Texas, and said Award consisting of 15/16th of all minerals and the State of Texas reserves 1/16th of the minerals;
- (f) Assignment of Right-of-Way dated January 18, 1966, executed by Pecos Growers Gas Company to Tex-Western Municipal Gas Corporation, filed for record on March 21, 1966, recorded in Volume 77, Page 113, Deed Records of Culberson County, Texas;
- (g) Right-of-way to Pecos Growers Gas Company of record in Volume 110, Page 520, Real Property Records, Culberson County, Texas;
- (h) Reservations of oil, gas, and mineral interest in Special Warranty Deed dated December 17, 1959, executed by George C. Fraser, Maurice Meyer, Jr. and George N. Crawford, acting as the duly elected Trustees of Texas Pacific Land Trust to R.B. Durrill, filed for record on January 27, 1960, recorded in Volume 64, Page 175, Deed Records of Culberson County, Texas;
- (i) Rights or claims, if any, of the encroachment of Farm Hwy 2185 (Easement filed in Volume 60, Page 178, Real Property Records, Culberson County, Texas) into a portion of the northerly property line of the 247.10 acres;
- (j) Rights or claims, if any, of the protrusion of fence over and across a portion of the adjacent property to the southerly lot line as shown on survey prepared by Ismael S. Villalobos, Texas Registered Professional Land Surveyor No. 5053, dated February 9, 2015, last revised March 3, 2015;
- (k) Rights or claims, if any, of the adjoining property owners in and to that portion of the Property lying between the southerly lot line and fence as shown on survey prepared by Ismael S. Villalobos, Texas Registered Professional Land Surveyor No. 5053, dated February 9, 2015, last revised March 3, 2015;
- (l) Mineral and/or royalty interest, as described in instrument recorded in Volume 2, Page 242; Volume 3, Page 123, Page 212 and Page 218; Volume 4, Page 69, Page 492, Page 493 and Page 519; Patent Records of Culberson County, Texas;

- (m) Mineral and/or royalty interest, as described in instrument recorded in Volume 37, Page 381; Volume 46, Page 304; Volume 55, Page 166; Volume 77, Page 453; Volume 101, Page 319; Volume 106, Page 313; Volume 110, Page 324 and Volume 113, Page 373, Deed Records of Culbertson County, Texas;
- (n) Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease, recorded in Volume 54, Page 565, Oil and Gas Records of Culbertson County, Texas;
- (o) Easement and Right of Way to Rio Grande Electric Cooperative, Inc, recorded in Volume 140, Page 69, Deed Records, Culbertson County, Texas;
- (p) Title to all oil, gas and minerals of every kind and character in, on and under the Property, together with all rights, privileges and immunities relating thereto, heretofore reserved unto the State of Texas in Patent to Ella Day, dated September 17, 1943, recorded in Volume 3, Page 211, Patent Records, Culbertson County, Texas;
- (q) Title to all oil, gas and minerals of every kind and character in, on and under the Property, together with all rights, privileges and immunities relating thereto, heretofore reserved unto the State of Texas in Patent to West Pyle Cattle Co., dated November 25, 1940, recorded in Volume 3, Page 122, Patent Records, Culbertson County, Texas;
- (r) Claims 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 Art Senclair, Governor of the Ysleta del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, dated May 29, 2003, filed on June 23, 2003 in Volume 160, Page 571, of the Real Property Records, Culbertson County, Texas;
- (s) Right of Way Easements to Rio Grande Electric Cooperative, recorded in Volume 138, Page 603; Volume 145, Page 142, Deed Records of Culbertson County, Texas;
- (t) Terms, conditions and stipulations of Historic Use Production Permit, dated June 17, 2013, recorded in Volume 192, Page 411, Real Property Records of Culbertson County, Texas;
- (u) Terms, conditions and stipulations of Historic Use Production Permit, dated June 17, 2013, recorded in Volume 192, Page 438, Real Property Records of Culbertson County, Texas;
- (v) Terms, conditions and stipulations of Historic Use Production Permit, dated June 17, 2013, recorded in Volume 192, Page 428, Real Property Records of Culbertson County, Texas; and

- (w) Easement(s) to Texas Western Municipal Gas Corporation recorded in Volume 113, Page 72, Real Property Records, Culberson County, Texas.

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns to warrant and forever defend, all and singular, the said premises unto the said Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations and exceptions referenced herein.

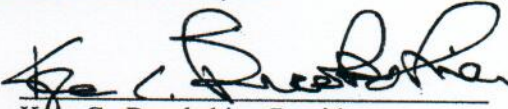
In addition, Grantor furthermore conveys to Grantee any right, title, or interest that Grantor may hold in such portion of that certain parcel of real property described on Exhibit "B", attached hereto and incorporated herein (the "Other Property"), without warranty of title of any kind, and subject to all matters of record or apparent.

Except as expressly provided in that certain Purchase Agreement dated December 22, 2014 between Grantor, BVH Pecans Joint Venture, Lobo Pecans Joint Venture, and Eduardo Medina, as amended, this conveyance of the Property and Other Property is further made "AS IS and WITH ALL FAULTS", and Grantor does not make, and Grantee does not rely upon, any express or implied warranties as to the quality, uses, benefits, conditions, lack of defects, value, or other matters of any kind relating to the Property [other than the warranty as to title] and to the Other Property, including without limitation the implied warranty of habitability, the implied warranty of suitability, the implied warranty of fitness for a particular purpose, the implied warranty of merchantability, and any warranties of any kind as to environmental, pollution, compaction, or soil conditions, all of which hereby are disclaimed and waived.

IT IS EXPRESSLY AGREED AND STIPULATED that a Vendor's Lien is retained against the Property, premises and improvements until the Promissory Note described under subparagraph (2) hereinabove and all interest thereon has been fully paid according to its face, tenor, effect and reading when this Deed shall become absolute. The said Vendor's Lien retained herein is hereby assigned and transferred to Capital Farm Credit, FLCA, its successors and assigns, without recourse on Grantor.

IN WITNESS WHEREOF this Warranty Deed is executed as of the 15th day of
May, 2015.

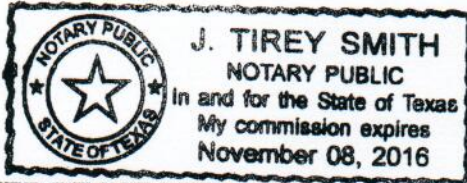
BROOKSHIER PECAN FARMS JOINT
VENTURE
By its joint venturer
Brookshier Pecan Farms, Inc.

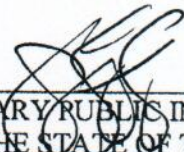
By: 
Kyle C. Brookshier, President

STATE OF TEXAS

COUNTY OF EL PASO)
)

This instrument was acknowledged before me this 15th day of May, 2015, by Kyle C. Brookshier, President of Brookshier Pecan Farms, Inc., joint venturer of Brookshier Pecan Farms Joint Venture, on behalf of such entities.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

AFTER RECORDING, RETURN TO:

PGF #3 - Wildhorse, LLC
P.O. BOX 1447
Bustrop, TX 78602

SURVEY NOTES

FIELD NOTES of 1085.47 acres more or less, of land, being a portion of land out of section 11, all of section 12, Block 65, Township 8, T&P RR Co. Surveys, and portion of sections 4 and 5, Block 77, Public School Surveys, Culberson County, Texas, and being more particularly described as follows.

Starting at a recovered R. W. Bakers 1/4" galvanized iron pipe marked "SW12, NW13, SE11, NE11, B65 T8 T&P 1959", marking the common corner for sections 11, 12, 13 and 14, Block 65, Township 8, T&P RR Co. Surveys, Culberson County, Texas, said pipe also being the POINT OF BEGINNING of this description;

THENCE, N 87°41'07" W a distance of 310.22 feet, along the common line of Sections 11 and 14, Block 65, Tsp 8, T&P RR Co. Surveys to a set 1/2" rebar;

THENCE, N 08°08'22" E, 239.99 feet to a set 1/2" rebar;

THENCE, N 87°43'22" W, 201.61 feet to a set 1/2" rebar;

THENCE, S 02°29'18" W, 238.62 feet to a set 1/2" rebar;

THENCE, N 87°41'07" W, 831.42 feet to a set 1/2" rebar;

THENCE, N 02°16'50" E, 1318.27 feet to a recovered iron with "FXS" aluminum cap;

THENCE, S 87°41'39" E, 1319.74 feet to a point from whence a recovered 1/2" iron pipe bears N 87°41'06" W, 0.40 feet;

THENCE, N 02°17'08" E, 3917.45 feet, along the common line of sections 11 and 12, Block 65, Tsp 8, T&P RR Co. Surveys, to a recovered iron with "FXS" aluminum cap for the common corner for sections 1, 11, and 12, Block 65, Tsp 8, T&P RR Co. Survey;

THENCE, S 87°45'34" E, 5233.31 feet, along the common line of sections 1 and 12, Block 65, Tsp 8, T&P RR Co. Survey, to a point common to sections 1 and 12, Block 65, Tsp 8, T&P RR Co. Survey;

THENCE, N 02°16'00" E, 653.86 feet, along the common line of section 1, Block 65, Tsp 8, T&P RR Co. Survey and section 4, Block 77, Public School Lands, Culberson County, Texas to a recovered R.W. Bakers 1/4" galvanized iron pipe marked "SW N PART S4, B77, PSL EL, S1 B65, T8 T&P 1959";

THENCE, S 87°48'08" E, 2885.00 feet, to a recovered "x" mark on concrete on the westerly right-of-way line of FM Highway 2809 (volume 72, page 98, Deed Records of Culberson, County, Texas);

THENCE, along the westerly right-of-way line of FM Highway 2809 the following six (6) calls:

S 02°13'18" W, 583.49 feet to a recovered broken concrete right-of-way marker;

513.88 feet along an arc of curve to the left with a Radius of 1472.14 feet, an interior angle of 20°00'00", and a chord which bears S 07°46'42" E, 511.27 feet to a recovered broken concrete right-of-way marker;

S 17°46'42" E, 222.04 feet to a recovered broken concrete right-of-way marker

EXHIBIT A

485.96 feet along an arc of a curve to the right, with a Radius of 1392.17 feet, an interior angle of 20°00'00", and a chord which bears, S 07°46'42" E, 483.49 feet to a set ½" rebar;

S 02°13'18" W, 1491.63 feet to a set ½" rebar;

N 88°09'16" W, 9.98 feet to a broken concrete right-of-way marker on the westerly right-of-way line of FM Highway 2185 (volume 60, page 136, Deed Records of Culberson, County, Texas);

THENCE, S 02°14'30" W, 2629.10 feet, along the right-of-way marker on the westerly right-of-way line of FM Highway 2185 (volume 60, page 136, Deed Records of Culberson, County, Texas, to a recovered ¼" iron pipe (volume 104, page 224, Deed Records of Culberson, County, Texas);

THENCE, N 87°45'33" W, 3127.42 feet to a recovered R.W. Bakers 1 ¼" galvanized iron pipe with a iron bar inside, marked "SB12, NE13, B65 T8 T&P 1959, WBL B77, common corner to sections 12 and 13, Block 65, Tsp 8, T&P RR Co. Surveys, Culberson County, Texas ;

THENCE, N 87°45'12" W, 5235.03 feet along the common line of sections 11 and 12, Block 65, Tsp 8, T&P RR Co. Surveys, Culberson County, Texas, to the **POINT OF BEGINNING** and containing 1085.47 acres of land more or less.

And:

FIELD NOTES of 1.92 acres more or less, of land, being a portion of section 5, Block 77, Public School Lands, Culberson County, Texas, and being more particularly described as follows.

Starting at a recovered ¼" iron pipe as called for in volume 104, page 224, Deed Records of Culberson County, Texas, from whence a recovered R.W. Bakers 1 ¼" galvanized iron pipe marked "SW N PART S4, B77, PSL EL, S1 B65, T8 T&P 1959, bears, N 75°12'06" W, 3127.42 feet, said pipe also being the **POINT OF BEGINNING** of this description;

THENCE, S 01°58'07" W, 737.80 feet to a 5/8" rebar on the easterly right-of-way line of FM Highway 2809;

THENCE, along the easterly right-of-way line of FM Highway 2809 the following three (3) calls:

186.54 feet along an arc of a curve to the left with a Radius of 1472.14 feet, an interior angle of 7°15'37" and a Chord which bears N 14°08'53" W 186.42 feet to a set ½" rebar;

N 17°46'42" W a distance of 222.04 feet to a recovered concrete right-of-way marker;

361.56 feet along an arc of a curve to the right, a Radius of 1392.17 feet an interior angle of 14°52'49" And a chord which bears, N 10°20'17" W, 360.54 feet to a set ½" rebar;

THENCE, S 87°19'07" E, 203.63 feet, to the **POINT OF BEGINNING** and containing 1.92 acres of land more or less.:

And:

FIELD NOTES of 247.10 acres more or less, of land, being a portion of section 7, Block 63, Public School Lands, Culberson County, Texas, and being more particularly described as follows.

Starting at a set ½" rebar at the intersection of the northerly right-of-way line of section 7, Block 65, Public School Lands, Culberson County, Texas, with the west right-of-way line of FM Highway 2185, said iron also being the POINT OF BEGINNING of this description;

THENCE, S 87°45'26" E, 3315.12 feet, along the common line of sections 6 and 5, Block 65, Public School Lands, Culberson County, Texas, to a point for the meander of a creek, from whence a recovered iron with "FXS" aluminum cap, marking the common corner of sections 5, 6, 7 and 8, Block 65, Public School Lands, Culberson County, Texas;

THENCE, along the meander of the creek the following twenty three (23) calls:

S 33°24'15" E, length 200.35 feet to a found 60D nail;

S 74°49-42 E, Length: 241.39 feet;

S 33°30-42 E Length: 191.33 feet;

S 16°43-18 E Length: 260.72 feet;

S 26°06-52 E Length: 87.66 feet;

S 39°16-31 W Length: 46.29 feet;

S 84°30-55 W Length: 129.75 feet;

S 46°12-47 W Length: 110.54 feet;

S 09°03-04 E Length: 134.73 feet;

S 46°53-34 E Length: 413.93 feet;

S 36°43-23 E Length: 287.56 feet;

S 05°19-49 W Length: 220.14 feet;

S 34°27-21 E Length: 409.04 feet;

S 50°48-47 E Length: 131.18 feet;

N 87°58-30 E Length: 148.56 feet;

S 51°26-34 E Length: 122.77 feet;

S 10°27-45 E Length: 61.19 feet;

S 24°02-08 W Length: 68.51 feet;

N 80°32-34 W Length: 196.36 feet;

S 75°56-49 W Length: 92.60 feet;

S 21°14-06 W Length: 163.89 feet;

S 41°33-25 E Length: 176.41 feet;

S 57°55-08 E Length: 178.75 feet to a recovered iron with "FXS" aluminum cap on the southerly line of a 250 acre tract volume 141, page 88, Deed records of Culberson County, Texas;

THENCE, N 87°45-33 W, 4704.98 feet, along said northerly line, to a set ½" rebar on the easterly right-of-way line of FM Highway 2183;

THENCE, N 02°14-30 E, 2640.59 feet, along the easterly right-of-way line of FM Highway 2183, to the POINT OF BEGINNING and containing 247.10 acres of land more or less.:



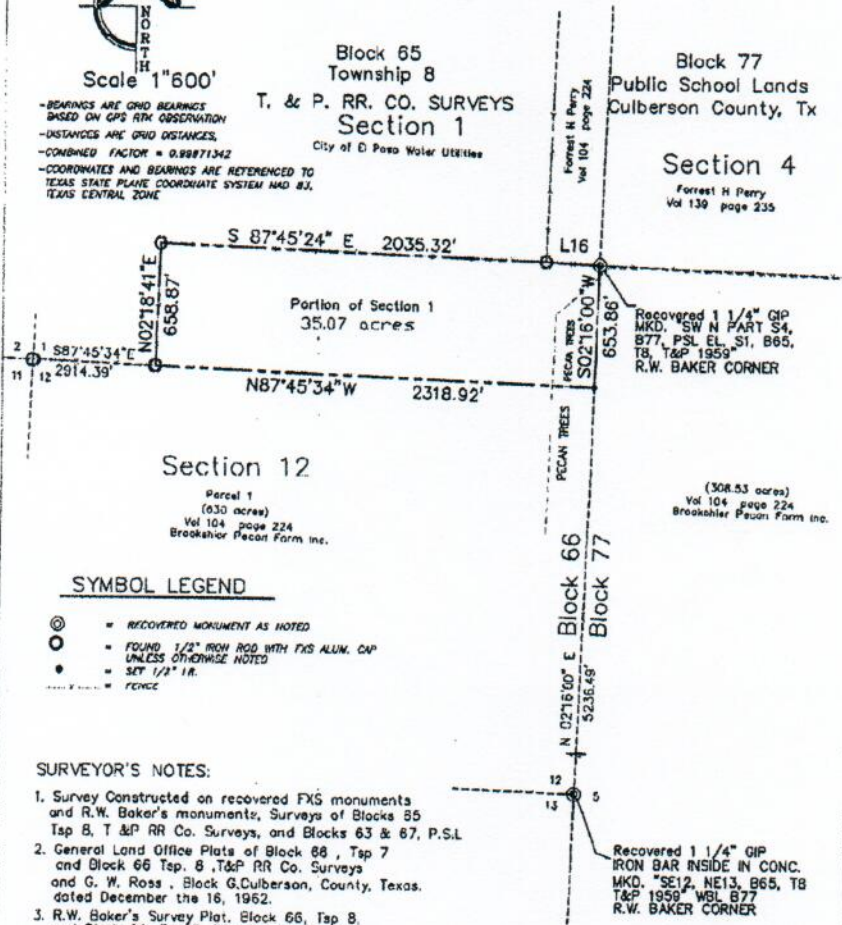
PLAT OF SURVEY

Portion of Section 1, Block 65, Township 8,
Texas and Pacific Railway Company, Surveys
Culberson County, Texas
Area 35.07 acres±



Scale 1"=600'

BEARINGS ARE GRID BEARINGS
BASED ON GPS RTK OBSERVATION
DISTANCES ARE GRID DISTANCES.
COMBINED FACTOR = 0.99971342
COORDINATES AND BEARINGS ARE REFERENCED TO
TEXAS STATE PLANE COORDINATE SYSTEM NAD 83,
TEXAS CENTRAL ZONE



SYMBOL LEGEND

- ⊙ = RECOVERED MONUMENT AS NOTED
- = FOUND 1/2" IRON ROD WITH FXS ALUM. CAP UNLESS OTHERWISE NOTED
- = SET 1/2" IR.
- = FENCE

SURVEYOR'S NOTES:

1. Survey Constructed on recovered FXS monuments and R.W. Baker's monuments, Surveys of Blocks 65 Tap 8, T & P RR Co. Surveys, and Blocks 63 & 67, P.S.L.
2. General Land Office Plats of Block 66, Tap 7 and Block 66 Tap. 8, T&P RR Co. Surveys and G. W. Ross, Block 6, Culberson, County, Texas, dated December the 16, 1962.
3. R.W. Baker's Survey Plat, Block 66, Tap 8, and Block 66, Tap 7, T&P RR Co. Surveys, dated April 1, 1992.
4. Instructions by Client.
5. Documents tendered by Client.
6. No easements are shown.

Surveyed and prepared for
Mr. Kyle Brookshire
Van Horn, Texas by

Samuel S. Villalobos
Samuel S. Villalobos
Registered Professional Land Surveyor #5053
Date 2/09/2015
P.O. Box 83
Van Horn, Texas 79855 9-2-15

SURVEY NOTES

FIELD NOTES of 35.07 acres more or less, of land, being a portion of land out of section 1, Block 65, Township 8, T&P RR Co. Surveys, Culberson County, Texas, and being more particularly described as follows.

Starting at a set $\frac{1}{2}$ " rebar marking the common corner for sections 1 and 12, Block 65, Township 8, T&P RR Co. Surveys, Culberson County, Texas, said iron also being the **POINT OF BEGINNING** of this description;

THENCE, N 87°45'34" W a distance of 2318.92 feet, along the common line of Sections 1 and 12, Block 65, Tsp 8, T&P RR Co. Surveys to a recovered iron with "FXS" aluminum cap on the City of El Paso Water Utilities property line;

THENCE, N 02°18'41" E, 658.87 feet, along the City of El Paso Water Utilities property line, to a recovered iron with "FXS" aluminum cap;

THENCE, S 87°45'24"E, 2035.32 feet, along the City of El Paso Water Utilities property line to a recovered iron with "FXS" aluminum cap;

THENCE, S 86°45'49" E, 283.12 feet, to a recovered R.W. Bakers 1 $\frac{1}{4}$ " galvanized iron pipe marked "SW N PART S4, B77, PSL EL, S1 B65, T8 T&P 1959";

THENCE, S 02°16'00" E, 653.86 feet, along the common line of sections 1, Block 65, Tsp 8, T&P RR Co. Surveys and section 4, Block 77, Public School Lands, Culberson County, Texas, to the **POINT OF BEGINNING** and containing 35.07 acres of land more or less.:

0000071932

FILED FOR RECORD
AT 1:30 O'CLOCK P. M.

ON THE 21st DAY OF May

A.D., 2015.

STATE OF TEXAS
COUNTY OF CULBERSON

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 202 and Page 813
of the Books
Records of Culberson County, Texas.

Linda McDonald
COUNTY AND DISTRICT CLERK
CULBERSON COUNTY, TEXAS



COUNTY AND DISTRICT
CLERK CULBERSON
COUNTY, TEXAS

BY [Signature]
DEPUTY

