

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

Vol. 192, p. 359

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: **Koehn Ranches, LTD - Richard M. Koehn, Sr.**
 P.O. Box 728
 Van Horn, TX 79855

(“Permittee”), has applied for an 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”) has APPROVED the application 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 Michigan 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 14,202.5 acre-feet per calendar year, subject to any proportional adjustment pursuant to Chapter 5, Subchapter B, of the District Rules. The amount of 14,202.5 acre-feet per calendar year is based on the determination by the District that the applicant owns 2,840.50 acres of Existing and Historic Irrigated Land, as defined in the District Rules.

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Groundwater may be withdrawn from the Aquifer only from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as listed in Exhibit A, attached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

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

7 Measurement of Amount of Groundwater Withdrawn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.

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.

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

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.

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.

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

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 June 17, 2013, by the Board of Directors of the Culberson County Groundwater Conservation District.

V.R. Cottrell
President, Board of Directors

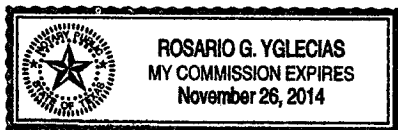
ATTEST:

[Signature]
Secretary, Board of Directors

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF CULBERSON)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on June 17, 2013 by Vance Cottrell, President, Board of Directors, Culberson County Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.



Rosario G. Yglecias
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>
Pecan Well	31.048800, -104.591467	1500
Bridge Well	31.048667, -104.6042	1500
Middle Well	31.041533, -104.5957	1500
County Road Well	31.038, -104.604017	2500
Draw Well	31.034167, -104.599667	2500
4760709	31.034267, -104.591283	2500
Detroit Well	31.034317, -104.587083	2500
4760803	31.0344, -104.582867	3000
Big Well	31.034433, -104.5786	3500
Potato Shed Well	31.0295, -104.585167	900
Koehn #4	31.01625, -104.5701	2000
Bee Well	31.016133, -104.561467	2000
Sprinkler Well	31.008983, -104.561483	2000
Koehn #8	30.990917, -104.574967	3500
Koehn #9	30.9848, -104.56703	3500
Brush Well	30.982217, -104.564133	3500

EXHIBIT B
A022

V.172, Ps. 229-237

62000

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

GENERAL WARRANTY DEED

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

THAT, RICHARD M. KOEHN, SR. and wife, KAYE S. KOEHN (collectively, the "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by KOEHN RANCHES, LTD., a Texas limited partnership ("Grantee"), the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee the following described real property situated in Culberson County, Texas, together with all improvements thereon (collectively, the "Property"):

The tracts of land situated in Blocks 79, 80 and 81, Public School Lands, Culberson County, Texas, being more particularly described on Exhibit A attached hereto and made a part hereof;

SAVE AND EXCEPT:

The following two tracts of land and access easements thereto:

Tract 1:

The eastern most 200 acres lying south of Interstate Highway 10 in the south half of Section 7, Block 81, Public School Lands, Culberson County, Texas, together with an access easement thereto sixty (60) feet wide, beginning at the intersection of the western block line of Block 81 with Interstate Highway 10 and running east and adjacent to the south right of way line of Interstate Highway 10 to said 200 acre tract;

Tract 2:

The western most 200 acres out of the south half of Section 20, Block 81, Public School Lands, Culberson County, Texas, together with an access easement thereto sixty (60) feet wide, the centerline of which begins on the western block line of Block 81, Public School Lands, Culberson County, Texas, 1,680 feet south of the northwest corner of Section 19, Block 81, Public School Lands, Culberson County, Texas, and runs in a straight line to the west boundary of said 200 acre tract 680 feet north of

Richard S. Snell
Thompson & Knight L.L.P.
333 Clay Street, Suite 3300
Houston, TX 77002-4499

AFTER RECORDING
PLEASE RETURN

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the southwest corner of Section 20, Block 81, Public School Lands,
Culberson County, Texas.

This conveyance is made subject to all easements, rights-of-way, restrictions, exceptions, reservations (including without limitation oil, gas and mineral reservations, if any), and other matters, whether similar or dissimilar, of record in Culberson County, Texas, but only to the extent that such matters are valid and existing and affect the Property. This conveyance is also made subject to all matters evident on the ground or which a correct survey would show. Ad valorem taxes for the current year have been prorated as of the date hereof, and Grantee assumes the payment of such taxes for the current and subsequent years. Grantee also assumes the obligation for all roll back taxes (and penalties and interest thereon) which may be payable as a result of this conveyance or a change in use of the Property.

TO HAVE AND TO HOLD the Property, subject to matters set forth herein, unto Grantee, and Grantee's heirs, executors, legal representatives, successors, and assigns, forever; and Grantor does hereby bind Grantor and Grantor's heirs, successors and assigns, to WARRANT and FOREVER DEFEND all and singular the Property unto Grantee, and Grantee's heirs, executors, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same.

EXECUTED AND DELIVERED effective as of January 2, 2008.

GRANTOR:

Richard M. Koehn Sr.
Richard M. Koehn, Sr.

Kaye S. Koehn
Kaye S. Koehn

Address of Grantee:
Koehn Ranches, Ltd.
I-10 Michigan Flat
Exit 153 East
Van Horn, Texas 79855

STATE OF TEXAS
COUNTY OF Tarrant

§
§
§

This instrument was acknowledged before me on the 12th day of January, 2008, by Richard M. Koehn, Sr.

My Commission Expires:
7-17-07

STATE OF TEXAS
COUNTY OF Tarrant

§
§
§

C. Reed Luse
NOTARY PUBLIC in and for
the State of Texas
Printed Name of Notary: Cory Reed Luse



This instrument was acknowledged before me on the 12th day of January, 2008, by Kaye S. Koehn.

My Commission Expires:
7-17-07

STATE OF TEXAS
COUNTY OF Tarrant

§
§
§

C. Reed Luse
NOTARY PUBLIC in and for
the State of Texas
Printed Name of Notary: Cory Reed Luse

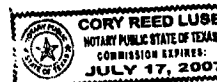


EXHIBIT A

**RICHARD KOEHN
MICHIGAN FLAT**

TRACT 1: 2,032.15 acres of land out of Sections 7, 8, 17, 18, 19, 20, and 21, Public School Land, Block 81, Culberson County, Texas, and is described by metes and bounds as follows:

BEGINNING at an iron pipe set in a County Road in the West Boundary line of Section 19, Block 81, PSL, Culberson County, Texas for the SW corner of the N/2 of Section 19 whence the SW corner of Section 19 bears South 2640.0 feet and from said SW corner of Section 19 a bronze marker set in a concrete monument marked "24 B-48 UT" at the SE corner of Section 24, Block 48, University Lands, bears South 2550.0 feet for the SW Corner of this survey;

THENCE North along the West boundary line of Block 81, at 2640.0 feet pass the NW corner of Section 19 and the SW Corner of Section 18, at 7920.0 feet pass the SW corner of Section 7 and the NW Corner of Section 18, 9055.33 feet to an iron pipe; Thence N. 0 50' 56" E with the West boundary line of said Section 7, Block 81, P.S.L., a distance of 310.33 feet to a point where the South boundary line of Interstate Highway 10 intersects the West boundary line of Section 7 for the NW corner of this tract;

THENCE N. 84 30' E. along the South right-of-way line of Interstate Highway 10, a distance of 210 feet; Thence Along the South right-of-way Line of Interstate Highway 10 as follows: N 85 09' E 287.0 feet; Thence N 79 54' E 869.19 feet; Thence N. 85 09' E. 6642.0 feet to an iron pipe for the upper NE corner of this survey;

THENCE South at 2200.57 feet across the South boundary line of Section 8 and North boundary line of Section 17, 4816.46 feet to an iron pipe set for an interior corner of this survey;

THENCE East 1350.59 feet to an iron pipe set for a corner of this survey;

THENCE South 2657.59 feet to an iron pipe set for a corner of this survey;

THENCE East 1320.76 feet to an iron pipe set for a corner of this survey;

THENCE South 2648.4 feet to an iron pipe set for the SE Corner of this survey on the South boundary line of the N/2 of Section 21;

THENCE West at 80.0 feet pass the SE corner of the N/2 of Section 20, at 5360.0 feet pass the SW corner of the N/2 of Section 20 and the SE corner of the N/2 of Section 19, 10,640.0 feet to the Place of Beginning.

TRACT II: 1130 acres of land, more or less, located in Culberson County, Texas, more particularly described as follows:

Parcel A: Being 320 acres of land, more or less, more particularly described as: All of the lands South of Interstate 10 in Section 8 and All of the lands in Section 17, both in Block 81, Public School Lands, Culberson County, Texas, not specifically included in TRACT I hereof.

Parcel B: Being 800 acres of land, more or less, more particularly described as: The West Three-Fourths (W 3/4) of Section 20 and the East Half (E 1/2) of Section 19, both in Block 80, Public School Lands, Culberson County, Texas.

TRACT III: 8720 acres of land, more or less, located in Culberson County, Texas, more particularly described as follows, to wit:

Parcel A: In Block 81 of the Public School Lands of Culberson County, Texas, the following tracts:

The Eastern most 80 acres of Section 8, South of Interstate Highway 10; The South Half (S 1/2) of Section 9; All of Section 16, All of Section 21; and All of Section 22.

Parcel B: In Block 80 of the Public School Lands of Culberson County, Texas, the following tracts:

All of Section 6, All of Section 5, All of Section 4; All of Section 9; All of Section 8; All of Section 16; All of Section 17; All of Section 21; The Eastern most 480 acres of Section 7; The Eastern Half (E 1/2) of Section 18; and the Eastern most 160 acres of Section 20.

Parcel C: In Block 79 of the Public School Lands of Culberson County, Texas, the following tracts:

The North Half (N 1/2) of Section 4.

LESS AND EXCEPT: 1305.6 acres of land, more or less, out of Sections 17, 18, 19, and 20, Block 80, Public School Lands, Culberson County, Texas, more particularly described as follows:

BEGINNING at a 1/2" rebar with cap marked "BASSHAM LSLS" set to mark the South common corner of the East and the West 1/2 of said Section 19 to mark the SW corner of this survey, from which a 1/2" iron pipe in a rock mound, found to mark the West common corner of Sections 6 and 19, said Block 80 bears S. 89 34' 50"W. 2575.52 feet;

THENCE North 00 13'44" W along the common line of the East and the West 1/2 of said Section 19 at 5291.78 feet pass a 1/2" rebar with cap marked "BASSHAM LSLS" set to mark the common corner of the East and the West 1/2 of said Sections 18 and 19, on along the common

line of the East and the West 1/2 of said Section 18 a distance of 5291.85 feet for a total of 10,583.63 feet to a 1/2" rebar with cap marked "BASSHAM LSLS", set in an old rock mound found to mark the East common corner of Section 12 and 13, Block 65, PSL, bears South 89 33'01" West 2576.10 feet and South 00 40'14" East 2625.99 feet;

THENCE N89 33'01" East 1779.51 feet along the common line of said Section 7 and 18 to a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the NE corner of this survey;

THENCE South 41 21'22" East along the West side of a road at 1211.47 feet pass the common line of said Section 17 and 18, on in all 5923.17 feet to a 1/2" rebar marked "BASSHAM LSLS", set in a fence line to mark a corner of this survey;

THENCE S 83 50'00" East 718.50 feet along said fence line to a 1/2" rebar with cap marked "BASSHAM LSLS", set at a fence corner;

THENCE South 00 16'00" East at 344.13 feet pass a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the North common corner of the East 1/4 and West 3/4 a distance of 5293.53 feet for a total of 5637.66 feet to a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the South common corner of said East 1/4 and West 3/4 and the SE corner of this survey a point in the North line of Section 5, Block 79, P.S.L., from which a 1 1/4" iron pipe, found to mark the West common Patent corner of the North and South 1/2 of Section 4 said Block 79 bears N. 89 34'50" E. 1339.79 feet and S. 00 16'49" East 2644.98 feet;

THENCE S. 89 34'50" W. along the common line of Section 5, said Block 79 and Section 20 at 4019.35 feet pass a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the common corners of Sections 5 and 6, Block 79, and sections 19 and 20, on along the common line of said Sections 6 and 19 a distance of 2575.52 feet for a total of 6594.87 feet to the POINT OF BEGINNING, and containing 199.9 acres in Section 17, 304.6 acres in Section 18, 312.9 acres in Section 19, and 488.2 acres in Section 20 for a total of 1305.6 acres, more or less.

TRACT IV:

Six Hundred Forty (640) acres of land, more or less, being the South One-half (S 1/2) of Section Nineteen (19) and the South one-half (S 1/2) of Section Twenty (20), in Block Eighty-One (81), Public School Land Survey, Culberson County, Texas.

TRACT V:

Parcel A:

All of Section Eight (8), Block Eighty-one (81), Public School Land Survey, EXCEPT that portion lying South of the South Boundary line of IH-10.

Parcel B:

The North half (N/2) of Section Seven (7), in Block Eighty-one (81), Public School Land

Survey, containing three hundred twenty (320) acres, more or less, SAVE AND EXCEPT the undivided interest of C. A. Morris, being an undivided 1/10th interest thereof, described in Warranty deed recorded in Vol. 44, page 411, Deed Records of Culberson County, Texas, and SAVE AND EXCEPT the undivided interest of W. J. Dees, being an undivided 1/30th interest thereof, described as that remaining of 1/5th interest after the conveyance of 1/6th interest to J. R. Penmenter, et al, recorded in Vol. 65, page 286, Deed Records, Culberson County, Texas.

TRACT VI:

Six hundred forty (640) acres of land, more or less, being the South one-half of Section No. Nineteen (S/2 of 19) and the South one-half of Section No. Twenty (S/2 of 20), in Block No. Eighty-one (81), Public School Land, Culberson County, Texas.

TRACT VII:

The North half (N/2) of Section SEVEN (7), in Block EIGHTY-ONE (81), Public School Land Survey, containing 320 acres, more or less, SAVE AND EXCEPT the undivided interest of C. A. Morris, being an undivided 1/10th interest thereof, described in Warranty Deed recorded Volume 44, Page 411, Deed Records of Culberson County, Texas, and SAVE AND EXCEPT the undivided interest of W. J. Dees, being an undivided 1/30th interest thereof, described as that remaining of a 1/5th interest after the conveyance of 1/16th interest to J.R. Penmenter et al recorded Volume 65, Page 286, Deed Records, Culberson County, Texas, for a remaining acreage of 277.54 acres in said North half.

TRACT VIII:

All of Section EIGHT (8), Block EIGHTY-ONE (81), Public School Land Survey, EXCEPT that portion lying South of the South Boundary Line of 11-10.

TRACT IX:

All that portion of Section Twelve (12), in Block Eighty-One, (81), Public School Lands, Culberson County, Texas, containing 600.729 acres, more or less, and being the same property described in Deed of Record in Vol. 152, P. 565, deed records of Culberson County, Texas.

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Filed for record on the 26th day of January, A.D. 2007 @ 11:00 o'clock A.M. and
duly recorded on the 5th day of February, A.D. 2007 @ 2:10 o'clock P.M.

By Linda McDonald, Deputy

LINDA McDONALD, COUNTY CLERK
CULBERSON COUNTY, TEXAS

62001

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

DEED WITHOUT WARRANTY

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

THAT RICHARD M. KOEHN, SR. and wife, KAYE S. KOEHN (collectively, the "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to Grantor by KOEHN RANCHES, LTD., a Texas limited partnership (the "Grantee"), the receipt and sufficiency of which consideration is hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does hereby GRANT, SELL and CONVEY unto Grantees, the following described property situated in Culberson County, Texas, together with all improvements thereon (the "Property"):

A certain tract or parcel of land containing 1.5 acres, more or less, out of the Northwest corner of the South Half (S/2) of Section 7, in Block 81, Public School Lands, Culberson County, Texas, being more particularly described on Exhibit A attached hereto and made a part hereof for all purposes.

This conveyance is made subject to all easements, rights-of-way, restrictions, exceptions, reservations (including without limitation oil, gas and mineral reservations, if any), and other matters, whether similar or dissimilar, of record in Culberson County, Texas, but only to the extent that such matters are valid and existing and affect the Property. This conveyance is also made subject to all matters evident on the ground or which a correct survey would show. Ad valorem taxes for the current year have been prorated as of the date hereof, and Grantee assumes the payment of such taxes for the current and subsequent years. Grantee also assumes the obligation for all roll back taxes (and penalties and interest thereon) which may be payable as a result of this conveyance or a change in use of the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantees, and Grantees' heirs, legal representatives, successors and assigns forever, subject to the matters herein stated. This Deed Without Warranty is executed without warranty, either express or implied, of any kind, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successors) are hereby excluded.

Richard S. Snell
 Thompson & Knight L.L.P.
 333 Clay Street, Suite 3300
 Houston, TX 77002-4499

**AFTER RECORDING
 PLEASE RETURN TO:**

406663 000007 HOUSTON 499967.1

EXECUTED EFFECTIVE as January 2, 2008.

GRANTOR:

Richard M. Koehn, Sr.
Richard M. Koehn, Sr.

Kaye S. Koehn
Kaye S. Koehn

Address of Grantee:

Koehn Ranches, Ltd.
1-10 Michigan Flat
Exit 153 East
Van Horn, Texas 79855

STATE OF TEXAS §
COUNTY OF Tarrant §

2007 This instrument was acknowledged before me on the 12th day of January, 2008, by Richard M. Koehn, Sr.

C. Reed Luse
NOTARY PUBLIC in and for the State of Texas

Printed Name of Notary: Cory Reed Luse

My Commission Expires: 7-17-07

STATE OF TEXAS §
COUNTY OF Tarrant §



2007 This instrument was acknowledged before me on the 12th day of January, 2008, by Kaye S. Koehn.

C. Reed Luse
NOTARY PUBLIC in and for the State of Texas

Printed Name of Notary: Cory Reed Luse

My Commission Expires: 7-17-07



JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY X
 TO X
 RICHARD KOEHN X

SPECIAL WARRANTY DEED
 R. E. No. 15934 and 15528

33128

THIS INDENTURE, made this 12th day of January, A.D, 1988, between JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, a corporation duly organized under the laws of Massachusetts, and having its principal place of business in Boston, County of Suffolk, and Commonwealth of Massachusetts, (Grantor), and RICHARD KOEHN, (Grantee).

WITNESSETH, That the Grantor, for the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable consideration, to it paid by the Grantee, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of that one certain Promissory Note of even date herewith, in the principal sum of Four Hundred Fifty Thousand and 00/100 (\$450,000.00) Dollars, payable to the order of Grantor in installments and bearing interest as therein provided, the payment of which Note is secured by a Vendor's Lien herein retained and is additionally secured by a Deed of Trust of even date herewith to E. W. Lock, Trustee, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the said Grantee the following land and improvements thereon, situated in the County of Culberson, and State of Texas, to wit: --

(LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF)

W.C.

The premises described hereunder are hereby conveyed by the tract and not by the acre, the acreage not being guaranteed by the Grantor, and are also conveyed subject to ~~the same~~ all outstanding mineral rights or reservations, oil, gas or mineral leases, water districts, water rights, restrictions or reservations, roadways, rights of way, easements, any contracts purporting to limit or regulate the use, occupancy or enjoyment of said premises, and any matters which could be disclosed by an accurate current survey or inspection of said premises.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, his heirs and assigns, forever.

And Grantor does hereby warrant and forever defend all and singular the said premises unto the Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under it, except as aforessid, but against none other.

But it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the above-described premises, is retained against the above-described property, premises and improvements until the above-described Note and all interest thereon is fully paid according to the face, terms, effect and reading thereof, when this Deed shall become absolute.

IN WITNESS WHEREOF, the Grantor has caused its Corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Donald A. Morway, one of its Assistant Treasurers, on the day and year first above written. Grantee's address is 5706 Mira Sierra, El Paso, Texas 79912.

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
 By: Donald A. Morway
 Donald A. Morway, Assistant Treasurer

COUNTY OF MASSACHUSETTS)
) SS:
 COUNTY OF SUFFOLK)

On this 12th day of January, 1988, before me the undersigned, a Notary Public in and for the said Commonwealth, residing therein, duly commissioned and sworn, personally appeared Donald A. Morway to me personally known, who by me duly sworn, did say that he is an Assistant Treasurer of JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and as the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand affixed with my seal in said County the day and year in this certificate first above written.

My Commission Expires:
September 1, 1989

Marie C. O'Brien
 Notary Public in and for said
 Commonwealth
 Marie O'Brien

SPECIAL WARRANTY DEED

R. E. No. 15934 and 15528

At a meeting of the Board of Directors of John Hancock Mutual Life Insurance Company held December 14, 1987, a quorum being present, it was

VOTED: That the Chairman of the Board, the President, any Sector President, the Chief Financial Officer, the General Counsel, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, any Treasury Officer, any Senior Investment Officer, any Investment Officer, any Senior Mortgage Investment Officer and any Mortgage Investment Officer of the Company, or any one of them, are hereby authorized to execute and seal with the corporate seal, acknowledge, and deliver any and all instruments required in connection with any investment, sale, or loan authorized by the Committee of Finance.

I hereby certify that the above is a true copy of a vote passed December 14, 1987, by the Board of Directors of John Hancock Mutual Life Insurance Company; that the same still remains in full force; and that Donald A. Morway is & an Assistant Treasurer of the Company, this twelfth day of January, 1988.

Barry P. Sanborn
Barry P. Sanborn, Assistant Secretary

This instrument was prepared by:

Roland E. Garieny
Roland E. Garieny, Senior Associate Counsel
John Hancock Mutual Life Insurance Company
John Hancock Place, Boston, Massachusetts

EXHIBIT "A"

TRACT I: 2031.65 acres of land out of Sections 7, 8, 17, 18, 19, 20, and 21, Public School Land, Block 81, Culberson County, Texas, and is described by metes and bounds as follows, to-wit:

BEGINNING at an Iron pipe set in a County Road in the West Boundary line of Section 19, Block 81, Public School Land, Culberson County, Texas, for the SW corner of the N/2 of Section 19 whence the SW corner of Section 19 bears South 2640.0 feet and from said SW corner of Section 19 a bronze marker set in a concrete monument marked "24 B-48 UT" at the SE corner of Section 24, Block 48, University Lands, bears South 2550.0 feet for the SW Corner of this Survey;

THENCE North along the West boundary line of Block 81 at 2640.0 feet pass the NW corner of Section 19 and the SW Corner of Section 18, at 7920.0 feet pass the SW corner of Section 7 and the NW Corner of Section 18, 9055.33 feet to an iron pipe set for the SW corner of a 1/5 acre tract out of the NW Corner of that part of Section 7 lying South of Interstate Highway 10 Right-of-way for the lower NW corner of this survey;

THENCE N.85°09'E. parallel with said South Right-of-way line 210.0 feet to a point for the SE corner of said 1/5 acre tract and an interior corner of this survey;

THENCE North 310.33 feet parallel to the West Boundary line of Section 7 to a point in the South Right-of-way Line of Interstate Highway 10 for the upper NW corner of this survey and the NE corner of the aforesaid 1.5 acre tract;

THENCE Along the South Right-of-way Line of Interstate Highway 10 as follows: N85°09'E. 287.0 feet; Thence N. 79°54'E 869.19 feet; Thence N. 85°09'E. 6642.0 feet to an iron pipe for the upper NE corner of this survey;

THENCE South at 2200.57 feet across the South boundary line of Section 8 and the North boundary line of Section 17, 4816.46 feet to an iron pipe set for an interior corner of this survey;

THENCE East 1350.59 feet to an iron pipe set for a corner of this survey;

THENCE South 2657.59 feet to an iron pipe set for a corner of this survey;

THENCE East 1320.76 feet to an iron pipe set for a corner of this survey;

THENCE South 2648.4 feet to an iron pipe set for the SE Corner of this survey on the South boundary line of the N/2 of Section 21;

THENCE West at 80.0 feet pass the SE corner of the N/2 of Section 20, at 5360.0 feet pass the SW corner of the N/2 of Section 20 and the SE corner of the N/2 of Section 19, 10,640.0 feet to the Place of Beginning.

BEING the same premises conveyed to John Hancock Mutual Life Insurance Company by Deed dated June 2, 1987, and recorded in the Office of the Clerk for Culberson County, Texas, in Volume 128, Page 127.

TRACT II: 1130 acres of land, more or less, located in Culberson County, Texas, more particularly described as follows:

Parcel A: Being 320 acres of land, more or less, more particularly described as:

All of the lands South of Interstate 10 in Section 8 and All of the lands in Section 17, both in Block 81, Public School Lands, Culberson County, Texas, not specifically included in TRACT I hereof.

Parcel B: Being 800 acres of land, more or less, more particularly described as:

The West Three-Fourths (W 3/4) of Section 20 and the East Half (E 1/2) of Section 19, both in Block 80, Public School Lands, Culberson County, Texas.

LESS AND EXCEPT: 1305.6 acres of land, more or less, out of Sections 17, 18, 19 and 20, Block 80, Public School Lands, Culberson County, Texas, more particularly described as follows:

BEGINNING at a 1/2" rebar with cap marked "BASSHAM LSL5" set to mark the South common corner of the East and the West 1/2 of said Section 19 to mark the SW corner of this survey, from which a 1/2" iron pipe in a rock mound, found to mark the West common corner of Sections 6 and 19, said Block 80 bears S. 89° 34' 50" W. 2575.52 feet;

THENCE North 00° 13' 44" W. along the common line of the East and the West 1/2 of said Section 19 at 5291.78 feet pass a 1/2" rebar with cap marked "BASSHAM LSLs" set to mark the common corner of the East and the West 1/2 of said Sections 18 and 19, on along the common line of the East and the West 1/2 of said Section 18 a distance of 5291.85 feet for a total of 10583.63 feet to a 1/2" rebar with cap marked "BASSHAM LSLs", set to mark the North common corner of said East and West 1/2 and the NW corner of this survey, a point in the South line of Section 7, said Block 80, from which a 1/2" rebar with cap marked "BASSHAM LSLs", set in an old rock mound found to mark the East common corner of Sections 12 and 13, Block 65, P.S.L. bears South 89° 33' 01" West 2576.10 feet and South 00° 40' 14" East 2625.99 feet;
 THENCE N. 89° 33' 01" East 1779.51 feet along the common line of said Sections 7 and 18 to a 1/2" rebar with cap marked "BASSHAM LSLs", set to mark the NE corner of this survey;
 THENCE South 41° 21' 22" East along the West side of a road at 1211.47 feet pass the common line of said Section 17 and 18, on in all 5923.17 feet to a 1/2" rebar with cap marked "BASSHAM LSLs", set in a fence line to mark a corner of this survey;
 THENCE S. 83° 30' 00" East 718.50 feet along said fence line to a 1/2" rebar with cap marked "BASSHAM LSLs", set at a fence corner;
 THENCE South 27° 30' 00" East 437.93 feet along the said fence to the NE corner of this survey;
 THENCE S. 00° 16' 00" East at 344.13 feet pass a 1/2" rebar with cap marked "BASSHAM LSLs", set to mark the North common corner of the East 1/4 and the West 3/4 of said Section 20, on along the common line of said East 1/4 and West 3/4 a distance of 5293.53 feet for a total of 5637.66 feet to a 1/2" rebar with cap marked "BASSHAM LSLs", set to mark the South common corner of said East 1/4 and West 3/4 and the SE corner of this survey a point in the North line of Section 5, Block 79, P.S.L., from which a 1-1/4" Iron pipe, found to mark the West common Patent corner of the North and South 1/2 of Section 4 said Block 79 bears N. 89° 34' 30" E. 1339.79 feet and S. 00° 16' 49" East 2644.98 feet;
 THENCE S. 89° 34' 30" W. along the common line of Section 5, said Block 79 and said Section 20 at 4019.35 feet pass a 1/2" rebar with cap marked "BASSHAM LSLs", set to mark the common corner of Sections 5 and 6, Block 79, and Sections 19 and 20, on along the common line of said Sections 6 and 19 a distance of 2575.52 feet for a total of 6594.87 feet to the POINT OF BEGINNING, and containing 199.9 acres in Section 17, 304.6 acres in Section 18, 312.9 acres in Section 19 and 483.2 acres in Section 20 for a total of 1303.6 acres, more or less.

TRACT 111: 4720 acres of land, more or less, located in Culberson County, Texas, more particularly described as follows, to wit:

Parcel A: In Block 81 of the Public School Lands of Culberson County, Texas, the following tracts:

The Eastern most 80 acres of Section 8, south of Interstate Highway 10; The South Half (S½) of Section 9; All of Section 16; All of Section 21; and All of Section 22.

Parcel B: In Block 80 of the Public School Lands of Culberson County, Texas, the following tracts:

All of Section 6; All of Section 5; All of Section 4; All of Section 9; All of Section 8; All of Section 16; All of Section 17; All of Section 21; The Eastern most 480 acres of Section 7; The Eastern Half (E½) of Section 18; and the Eastern most 160 acres of Section 20.

Parcel C: In Block 79 of the Public School Lands of Culberson County, Texas, the following tract:

The North Half (N½) of Section 4.

BEING the same premises conveyed to John Hancock Mutual Life Insurance Company by Deed dated December 3, 1985, and recorded in the Office of the Clerk for Culberson County, Texas, in Volume 124, Page 516, and by Deed dated December 3, 1985, and recorded in the aforesaid Clerk's Office in Volume 124, Page 526.

LESS AND EXCEPT: 1305.6 acres of land, more or less, out of Sections 17, 18, 19 and 20, Block 80, Public School Lands, Culberson County, Texas, more particularly described as follows:

BEGINNING at a 1/2" rebar with cap marked "BASSHAM LSLS" set to mark the South common corner of the East and the West 1/2 of said Section 19 to mark the SW corner of this survey, from which a 1/2" iron pipe in a rock mound, found to mark the West common corner of Sections 6 and 19, said Block 80 bears S. 89° 34' 50" W. 2575.52 feet;

THENCE North 00° 13' 44" W. along the common line of the East and the West 1/2 of said Section 19 at 3291.78 feet pass a 1/2" rebar with cap marked "BASSHAM LSLS" set to mark the common corner of the East and the West 1/2 of said Sections 18 and 19, on along the common line of the East and the West 1/2 of said Section 18 a distance of 5291.85 feet for a total of 10583.63 feet to a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the North common corner of said East and West 1/2 and the NW corner of this survey, a point in the South line of Section 7, said Block 80, from which a 1/2" rebar with cap marked "BASSHAM LSLS", set in an old rock mound found to mark the East common corner of Sections 12 and 13, Block 65, PSL bears South 89° 33' 01" West 2576.10 feet and South 00° 40' 14" East 2625.99 feet;

THENCE N. 89° 33' 01" East 1779.51 feet along the common line of said Sections 7 and 18 to a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the NE corner of this survey;

THENCE South 41° 21' 22" East along the West side of a road at 1211.47 feet pass the common line of said Section 17 and 18, on in all 5923.17 feet to a 1/2" rebar with cap marked "BASSHAM LSLS", set in a fence line to mark a corner of this survey;

THENCE S. 83° 50' 00" East 718.50 feet along said fence line to a 1/2" rebar with cap marked "BASSHAM LSLS", set at a fence corner;

THENCE South 27° 50' 00" East 437.93 feet along the said fence to the NE corner of this survey;

THENCE S. 00° 16' 00" East at 344.13 feet pass a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the North common corner of the East 1/4 and the West 3/4 of said Section 20, on along the common line of said East 1/4 and West 3/4 a distance of 5293.53 feet for a total of 5637.66 feet to a 1/2" rebar with cap marked "BASSHAM LSLS", set to mark the South common corner of said East 1/4 and West 3/4 and the SE corner of this survey a point in the North line of Section 5, Block 79, P.S.L., from which a 1-1/4" iron pipe, found to mark the West common Patent corner of the North and South 1/2 of Section 4 said Block 79 bears N. 89° 34' 50" E. 1339.79 feet and S. 00° 16' 49" East 2644.98 feet;

THENCE S. 89° 34' 50" W. along the common line of Section 5, said Block 79 and said Section 20 at 4019.35 feet pass a 1/2" rebar with cap marked

"BASSHAM LSLS", set to mark the common corner of Sections 5 and 6, Block 79, and Sections 19 and 20, on along the common line of said Sections 6 and 19 a distance of 2575.52 feet for a total of 6594.87 feet to the POINT OF BEGINNING, and containing 199.9 acres in Section 17, 304.6 acres in Section 18, 112.9 acres in Section 19 and 483.2 acres in Section 20 for a total of 1305.6 acres, more or less.

ADDRESS OF GRANTEE:
5706 Mira Sierra
El Paso, Texas 79912

Page 3 of 3 pages.

Filed for record on the 25th day of January A.D. 1988 at 4:00 o'clock
P. M. Recorded on the 16th day of February A.D. 1988 at 8:30 o'clock
A. M.
By Rosalinda Abreo, Deputy. ROSALINDA ABREO, COUNTY CLERK
CULBERSON COUNTY, TEXAS.

ALBERT IVY X
TO
RICHARD KOEHN X

22955

WARRANTY DEED

Date: September 3, 1987

Grantor: ALBERT IVY

Grantor's mailing address: P. O. Box 279, Carrizo Springs, Dimmit County, Texas 78834

Grantee: RICHARD KOEHN

Grantee's mailing address: P. O. Box 728, Van Horn, Culberson County, Texas 79853

Consideration: Ten Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named.

Property (including all improvements thereon situated): Six hundred forty (640) acres of land, more or less, being the South one-half of Section No. Nineteen (S/2 of 19) and the South one-half of Section No. Twenty (S/2 of 20), in Block No. Eighty-one (81), Public School Land, Culberson County, Texas.

Reservations from and exceptions to conveyance and warranty: All easements, rights-of-way, restrictions and reservations shown of record in the official records of Culberson County, Texas, here referred to, and all easements visible and apparent upon the ground.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

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

Albert Ivy

Albert Ivy

THE STATE OF TEXAS
COUNTY OF DIMMIT

This instrument was acknowledged before me on the 3rd day of September, 1987, by Albert Ivy.

Anna B. Lane

Notary Public, State of Texas



ANNA B. LANE
My Commission Expires 11 30-88

Filed for record on the 4th day of December A.D. 1987 at 2:55 o'clock
P. M. Recorded on the 31st day of December A.D. 1987 at 9:40 o'clock
A. M.

By *Frank Oster*, Deputy.

ROSALINDA ABREO, COUNTY CLERK
CULBERSON COUNTY, TEXAS.

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#Pages 20 #NFPages 0
6/18/2013 4:20:28 PM
Filed & Recorded in
Official Public Records of
County and District Clerk
Linda McDonald
Fees 86.00

State of Texas
County of Culberson

I hereby certify this instrument was FILED on
the date and at the time stamped hereon by me
and was duly RECORDED in the VOL 192 and
Page 359 of the 192 Records of
Culberson County, Texas on:

July 10, 2013
Linda McDonald
By Deputy