

**Agenda Item: 11  
Public Hearing  
Ken Baumgardner**



need to pursue groundwater rather than public water supply for the purpose of domestic use for a new home.

### **Per Rules 6.9 and 6.10**

In deciding whether or not to issue a permit, the Board must consider the following:

1. **Does the application contain all the information requested, is the application accurate? Does it meet spacing and production limitations identified by District Rules, and does it conform to all application requirements which include public notification and accompanied by the prescribed fees? (Rule 6.10.24(a)(b), TWC 36.116(a)(1), TWC 36.113(d)(1) and Rule 6.9.1(b)(1)(2)**

The application is complete—all requested information has been provided. The application conforms to said rules with all required application fees. In addition, the applicant has met all notification requirements in a proper manner per District Rules.

- 2) **Is the proposed use of water dedicated to beneficial use? (TWC 36.113(d)(3) and District Rule 6.10.24 (d).**

The groundwater produced for this well is for domestic use for a new home, landscape, and garden plot.

- 3) **Has the applicant agreed to avoid waste and achieve water conservation? (TWC 36.113(d)(6) and Rule 6.10.24(f)**

The applicant should testify they understand per District Rules that by signing the application form the applicant agrees to state compliance with the District's Management Plan

Applicant should testify to the importance of water conservation measures and that options for outside water conservation are very limited and vital to the sustainability of the aquifer. The District hopes that the applicant states in testimony they do not intend to utilize the groundwater for extensive landscape purposes.

- 4) **Has the applicant agreed that reasonable diligence will be used to protect groundwater quality and that the applicant will follow well plugging guidelines at the time of well closure? (TWC 36.113(d)(7) and Rule 6.10.24(g))**

The applicant (*by signing the application form*) should offer testimony that if the well deteriorates over time or becomes damaged in such a way that the well is inoperable that state law and district rules require such a well to be plugged before a replacement well can be drilled.

- 5) **Will the proposed water well comply with spacing and production limitations identified in our rules? (TWC 36.116(a)(1) and Rule 6.10.24(b)) and Rule 9.5.2**

The proposed well is located in the Southwest Management Zone described in District Rule 7.1, thus will have a maximum column pipe size not to exceed 1 ¼-inch. Based

on this column pipe size, a minimum size tract of 2 acres is required, with a 150-foot spacing requirement from other wells. The 75-foot setback requirement from adjacent property lines be met for this proposed well and the possible future property lines. Testimony per District Rule 9.5 Spacing Requirements that the applicant will adhere to all spacing requirements.

The District rules require that we do impose a production limit of 0.38 acre-ft/year (123,823 gallons per year) determined applicable in the review of today's permit request for a new well. The applicant and/or their representative needs to understand that the operating permit for production does not appear to cause an unacceptable level of decline in water quality of the aquifer, or as may be necessary to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence.

These issues are considered in Items 6 & 7 below and with staff recommendations to address potential concerns of adjacent property owners.

6) **Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders?**

Based upon available information, there are the following number of wells as defined for domestic use and completed, and active from the Lower Trinity Aquifer.

**15 wells are within 1/2 mile,**

**3 completed in the Glen Rose Layer of the Trinity Aquifer,**

**9 completed in the Hensell Layer of the Trinity Aquifer,**

**3 completed in the Hosston Layer of the Trinity Aquifer.**

Mike Keester, RW Harden & Associates, has reviewed the application and has determined the anticipated drawdown, and has provided the attached MK report.

His conclusions and recommendations state that the proposed well will primarily be impacted by short-term production. He adds "that the nearest existing wells may experience negligible decline in 1-day drawdown due to the short term production. The long drawdown production analysis shows for 30-day and 1-year are less than 1 foot thus the potential impact is negligible thus reasonable. The Lower Trinity in the area has approximately 400-feet of artesian pressure and with a negligible amount of long-term drawdown, thus the proposed well should be able to produce the proposed amount without significant impact on water levels. Continued water level monitoring will aid in assessing the long-term effects of cumulative groundwater production in the area.

Additionally, the District, to the extent possible, must issue permits up to the point the total volume of exempt and permitted groundwater production will achieve the applicable Desired Future Condition (DFC) per TWC 36.1132(a)(b) and Rule 6.10.25(a)(b)(c)(d)(e).

- 7) **Is the proposed use of water is consistent with the District’s Groundwater Water Management Plan related to the approved DFC and the defined available groundwater for permitting?**

The District’s Management Plan reflects a groundwater availability figure in the Lower Trinity Aquifer of **7193 ac-ft/year Modeled Available Groundwater** (then reserve 178 ac-ft/year for exempt well use) thus **7015 ac-ft/year is the Managed Available Groundwater for permitting.**

The Board, per the District Management Plan, has evaluated groundwater available for permitting the Lower Trinity Aquifer and most recently evaluated the available groundwater for permitting (*consistent with the management plan as stated on pages 9-10*).

The requested permit amount relative to the modeled available groundwater MAG determined by the Texas Water Development Board (TWDB) based on the desired future conditions (DFCs) established by the District for the Lower Trinity Aquifer was set by CUWCD based on 330-ft of drawdown over 60 yrs. This was reviewed and again approved by the board in January 2019. To achieve this DFC, the TWDB used a model that indicated the MAG was equal to 7193 acre-feet per year from the Lower Trinity.

A summary of YTD 2023 permit production, HEUP & OP Permit Analysis, pending applications, and \*Exempt Well Reservations for the Lower Trinity, per District Report illustrates current Lower Trinity Aquifer permits total 4390.661 ac-ft/year. Currently, the District has a pending permit of 0.38 ac-ft/year, thus available for permitting is only 2624.339 acre-feet/year. (*see attached Lower Trinity Aquifer Status Report, June 2023*).

- 8) **What are the Modeled Available Groundwater calculations determined by the Executive Administrator of the Texas Water Development Board?**

Refer to #7 above. The modeled available groundwater will not be exceeded by granting this permit. (*see attached Lower Trinity Aquifer Status Report, June 2023*).

- 9) **What has the Executive Administrator of the Texas Water Development Board’s estimate of the current and projected amount of groundwater produced under the exemptions in District Rule 8.3?**

Refer to #7 above. Reservation of Modeled available groundwater for **exempt well** use will not be exceeded by granting this permit. 178 ac-ft/year vs 59 ac-ft estimated to be used annually in the Lower Trinity. (*see 2022 district exempt use report*)

- 10) **What is the amount of groundwater authorized under permits previously issued by the District?**

Refer to #7 above. Existing permits do not exceed the managed available groundwater (*modeled available groundwater – exempt well use = Managed Available Groundwater*) for the Lower Trinity Aquifer which is 4390.661 ac-ft per year.

**11) What is the reasonable estimate of the amount of groundwater that is produced annually under existing non-exempt permits issued by the District?**

The total permitted amounts for non-exempt wells in the Lower Trinity Aquifer in 2022 was **4390.61 ac-feet/yr** and the actual production in 2022 was **1842.71 ac-ft/yr (42%)** of the permitted amount. (*Figures are based upon monthly production reports submitted to Clearwater by the permit holders in 2022*).

**12) Yearly precipitation and production patterns.**

Clearwater is currently in no drought management stage based on the PDI system (average running total annual rainfall) over the Aquifer in the District, is currently at **29.851** inches of rain received in the last 365 days (6-23-2023) thus 90.46% of annual expected rainfall of 33 inches. The Lower Trinity permit holders in all of 2022 have used 42% of the total permitted amounts in the Aquifer. Permit holders did not exceed their total permitted amounts in 2020, 2021, and 2022.

The gravity of the current drought is reminiscent of the epic drought of 2011-2013, the significant drought in 2018, 2020, and again in 2022-23. The current drought trends do necessitate the need for all permit applications to be evaluated based on conservative needs and usage that are not contradicted by the current voluntary drought contingency plan stage. The applicant has agreed to take extremely conservative actions to maintain a lifestyle of efficient and conservative groundwater use.

**Conclusions and Recommendations:**

- 1) District GM recommends that the Board approve the permit for the one well for the purpose of domestic use as described in the application.
- 2) District GM concurs with Keester that the following conditions for the well's construction and for limiting this application permit necessary for the following:
  - To assess actual changes in water levels due to pumping from the proposed well and regional water level declines, the pump installer shall install a measuring tube alongside the column pipe to allow for measurement of the water level using an e-line or other direct measurement method as needed by District Staff.
  - The pump installer shall install a metering device for monthly online reporting of production to confirm the applicant does not exceed the approved amount of production.
  - Conduct a 24-hour pumping test.

Attachments are as follows:

Keester PG Technical Memorandum	06/22/2023
CUWCD Trinity Aquifer Status Report	06/13/2023
CUWCD 2022 Exempt Well Estimate of Use Report	12/31/2022
CUWCD Site Map	See Attached
Applications, fees and Notification Affidavit	See Attached

# CUWCD Aquifer Status Report

## Trinity Aquifer Status Report – June 2023

<u>DFC Analysis Over Time</u> (2000-Present) Modeled Available Groundwater			<u>HEUP and OP Permit Analysis</u> Relative to the Modeled Available Groundwater			<u>2023 YTD</u> <u>Total Prod.</u> Jan - May 674.56 ac-ft 13.51%		<u>Pending</u> <u>Applications</u>		<u>Exempt Well Reservations</u>		
Trinity Aquifer (by layer)	DFC Adopted * Average Drawdown (by layer)	MAG ** Ac-ft	HEUP Ac-ft (by layer)	OP Ac-ft (by layer)	Total Permitted Ac-ft (by layer)	2022 YTD Prod. (by layer)	2023 YTD Prod. (by layer)	Available for Permitting Ac-ft (by layer)	Pending Applications Ac-ft (by layer)	Exempt Well Reserve Ac-ft (by layer)	2022 Exempt Well Use Estimate Ac-ft (by layer)	Available Exempt Use Ac-ft (by layer)
		Current										
Pawluxy	NA	0	0	0	0	0	0	0	0			0
Glen Rose (upper)	-1.38 ft/yr -83 ft/60 yrs	974	61.9	72.73	134.63	23.79	7.64	146.37	0	693	189	504
Hensell (middle)	-2.28 ft/yr -137 ft/60 yrs	1099	259.3	207.77	467.07	67.06	16.66	73.23	***23.00	548	527	21
Hosston (lower)	-5.50 ft/yr -330 ft/60 yrs	7193	1181.4	3209.261	4390.661	1842.71	650.26	2624.339	0.38	178	59	119
<b>Total</b>		<b>9266</b>	<b>1502.6</b>	<b>3489.71</b>	<b>4992.361</b>	1933.56 (40.77%)	674.56 (13.51%)	<b>2843.939</b>	<b>23.38</b>	<b>1419</b>	<b>793</b>	<b>626</b>

\*Desired Future Conditions (DFC) is the description of how the aquifer should look in the future (60 years).

\*\*The Modeled Available Groundwater (MAG) is the estimated amount of water available for permitting assigned to Clearwater UWCD by the Executive Administrator of TWDB.

\*\*\*Pending applications

Big Elm RV Resort N2-22-003P (23.00 ac-ft/yr)

Ken Baumgardner N3-23-003P (0.38 ac-ft/yr)



# CUWCD Exempt Well Estimate of Use Report



## CUWCD Exempt Well Use Summary

As of: 2/9/2023

Aquifer	Total Active Registered Exempt Wells <sup>3</sup>	Registered Domestic Wells	Estimated Domestic Use Gallons/Day <sup>1,2</sup>	Estimated Domestic Use Ac-ft/Year <sup>1,2</sup>	Registered Stock Wells	Estimated Stock Use Gallons/Day <sup>4</sup>	Estimated Stock Use Ac-ft/Year <sup>4</sup>	Total Estimated Use Gallons/Day <sup>7</sup>	Total Estimated Exempt Well Use Ac-ft/Year <sup>7</sup>	MAG Reserved Exempt Well Use
Glen Rose (Upper Trinity)	426	349	102,103	114	77	66,528	75	168,631	189	
Hensell (Middle Trinity)	972	911	417,446	468	61	52,704	59	470,150	527	
Hosston (Lower Trinity)	159	148	43,299	49	11	9,504	11	52,803	59	
Trinity (Total) <sup>6</sup>	1,557	1,408	562,848	630	149	128,736	144	691,584	775	1,419
Edwards BFZ	846	715	209,180	234	131	113,184	127	322,364	361	825
Edwards Equivalent	485	386	112,928	126	99	85,536	96	198,464	222	
Buda	28	15	4,388	5	13	11,232	13	15,620	17	
Lake Waco	8	3	878	1	5	4,320	5	5,198	6	
Austin Chalk	226	141	41,251	46	85	73,440	82	114,691	128	
Ozan	161	114	33,352	37	47	40,608	45	73,960	83	
Pecan Gap	67	44	12,873	14	23	19,872	22	32,745	37	
Kemp	15	11	3,218	4	4	3,456	4	6,674	7	
Alluvium	584	377	110,295	124	207	178,848	200	289,143	324	
Other <sup>5</sup>	1,574	1,091	319,183	358	483	417,312	467	736,495	825	
<b>CUWCD Total Active</b>	<b>3,977</b>	<b>3,214</b>	<b>1,091,212</b>	<b>1,222</b>	<b>763</b>	<b>659,232</b>	<b>738</b>	<b>1,750,444</b>	<b>1,961</b>	

1. Domestic use estimate assumes 106 gallons/person per day (USGS estimate of domestic use outside of a municipal water system) and 2.76 persons/household (U.S. Census Bureau, Population Estimates Program (PEP) July 1, 2019)
2. Benjamin G. Wherley, Ph.D. Associate Professor- Turfgrass Science & Ecology Dept. of Soil and Crop Sciences Texas A&M University estimate of 2,000ft<sup>2</sup> warm season turfgrass requires 38,855gal/yr/lawn or 106gal/day/lawn; "Ranchette" Avg. lawn size is 13,042ft<sup>2</sup>, 6.5X larger; 6.5 X 106gal/day/lawn= 689gal/day/lawn; ~217 "Ranchette" Middle Trinity Wells; 689 X 217=an additional 150,924gal/day/lawn; **490ac-ft/yr or an 89% increase in Middle Trinity exempt well use from the 2018 estimate of 258ac-ft/yr.**
3. Exempt well use estimate factors out all plugged, capped, monitor and inactive wells in the database.
4. Source of stock water estimates is Texas Agrilife Extension @ 18 gallons water per day per cow. Livestock water use estimates are based on the 2017 Census of Agriculture, USDA National Agricultural Statistics Service. 36,868 cows / 771 stock wells= 48 cows/stock well; 48\* 18gpd= 846 gal/day/stock well, **747ac-ft/yr or a 34% increase in annual stock use from the 2018 estimate of 556ac-ft/yr.**
5. The "Other" designation is the total of minor aquifer and alluvium source designation of the exempt wells.
6. Trinity Aquifer wells registered with unknown depth are assigned to the Middle Trinity per Board decision.
7. All estimates of groundwater use by exempt well owners is based on assumptions and scientific data, but by no means are they to be interpreted as recommended practices by CUWCD.

**Hydrogeologic Review  
Mike Keester, P.G.  
RW Harden & Associates**

## TECHNICAL MEMORANDUM

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**To:** Dirk Aaron, General Manager – Clearwater Underground Water Conservation District  
**From:** Michael R. Keester, PG – R. W. Harden & Associates, Inc.  
**Date:** June 22, 2023  
**Subject:** Hydrogeologic Evaluation of the Ken Baumgardner Well (N3-23-003P) Combination Permit Application

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**Proposed Well ID:** *N3-23-003P*

**Well Owner Name:** *Ken Baumgardner*

**Tract Size:** *7.271 Acres*

**Column Pipe Size:** *1.25 inch*

**Aquifer:** *Lower Trinity*

**Management Zone:** *Southwest*

**Proposed Annual Production:** *0.38 Acre-Feet per Year*

**Proposed Instantaneous Pumping Rate:** *less than 10 Gallons per Minute*

The applicant indicated they will use the proposed well for domestic use on a tract of land subdivided using the “Family Grant Provisions” which allows a larger property to be subdivided without being plated by Bell County. They intend to equip the well with a 3-horsepower pump having a 1.25-inch column pipe diameter for a pumping rate of no more than 17 gallons per minute. The requested annual production from the well is 0.38 acre-feet per year which is less than the amount commonly requested for domestic use.

The identified source for the proposed use is the Lower Trinity. Based on the District’s database, the Lower Trinity exists from approximately 535 to 590 feet below ground level. The applicant anticipates completing the proposed well to the bottom of the Lower Trinity and setting the pump at 550 feet below ground level.

### Projected Effect on Existing Wells

The potential effects of the proposed production on local water levels in the aquifer are calculated using the Theis equation\* which relates water level decline (that is, drawdown) to the pumping rate of a well and properties of the aquifer. While the equation does not account for aquifer conditions which may affect the calculation of long-term water level declines (for example: aquifer recharge, faulting, or changes in aquifer structure), it does provide a very good, reliable, and straightforward method for estimating relatively short-

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\* Theis, C.V., 1935, The Relation Between the Lowering of the Piezometric Surface and the Rate and Duration of Discharge of a Well Using Ground-Water Storage: American Geophysical Union Transactions, v. 16, p. 519-524.

term drawdown in and near a well due to pumping. To assess the potential effects from the proposed production, the equation uses values from the District’s modified groundwater availability model\*.

The following Table 1 presents the calculated drawdown at the proposed well and at other nearby wells completed in the same aquifer. For 1-Day Drawdown, we applied the proposed instantaneous pumping rate for a period of 24 hours. For 30-Day Drawdown, we assumed peak pumping during the summer of about 15 percent more than the average monthly amount (that is, the proposed annual production rate divided by 12 then multiplied by 1.15). For 1-Year Drawdown, we used the proposed annual production amount.

**Table 1. Calculated drawdown at N3-23-003P and other nearby wells completed in the Lower Trinity based on an annual production rate of 0.38 acre-feet from the proposed and simulated wells and instantaneous production of 17 gallons per minute.**

CUWCD Well ID	Distance from Proposed Well (feet)	1-Day Drawdown (feet)	30-Day Drawdown (feet)	1-Year Drawdown (feet)
N3-23-003P (Ken Baumgardner)	---	5.3	<i>Negligible</i>	<i>Negligible</i>
E-22-080P	676	<i>Negligible</i>	<i>Negligible</i>	<i>Negligible</i>
E-11-052P	1,844	<i>Negligible</i>	<i>Negligible</i>	<i>Negligible</i>
E-02-1178G	2,485	<i>Negligible</i>	<i>Negligible</i>	<i>Negligible</i>

The predicted drawdown presented above is based on our current understanding of the aquifer hydraulic properties and the estimated production from the proposed well. The predicted drawdown values presented do not include the effects from other wells pumping near the proposed well. Predicted drawdown of less than one (1) foot is considered negligible for analysis purposes due to inherent uncertainty in the aquifer hydraulic characteristics.

## Conclusions and Recommendations

The requested annual permitted volume is less than commonly requested for domestic use. Existing Lower Trinity wells within one-half mile are expected to experience negligible drawdown due to the proposed production. However, due to uncertainty with regard to the aquifer hydraulic properties in the area, the District should conduct a 24-hour pumping test using the well. For the pumping test, we recommend the following, as possible:

- Installation of automatic water level recorders in N3-23-003P and E-22-080P at least 48 hours prior to pumping
- Collecting water level measurements at 10-minute intervals using the automatic water level recorders
- During the 24-hour pumping period, manually monitor the pumping rate and water levels in the pumping well
- Following the pumping period, manually monitor recovering water levels for at least 6 hours
- Remove automatic water level records, or collect data if recorders will remain installed, after a minimum of 48 hours following the pumping period.

\* Konetchy, B. and Beach, J., 2020, Update of the Modified CUWCD NTWGAM: Draft Technical Memo to Dirk Aaron, General Manager of Clearwater UWCD dated May 7, 2020, 16 p.

While the focus of water-level monitoring discussed above is associated with the pumping test, we recommend continued water-level monitoring to aid in assessing the long-term effects of cumulative groundwater production in the area. Upon setting the pump in the well, we recommend the applicant install a measuring tube to assess actual changes in water levels due to pumping from the well and regional water level declines. According to the letter provided by the applicant, they agree to metering of their production and allowing the District to measure water levels no less than quarterly.

### Geoscientist Seal

The signature and seal appearing on this document was authorized by Michael R. Keester, P.G. on June 22, 2023. R.W. Harden & Associates Texas Board of Professional Geoscientist Firm Registration Number 50033.



**N3-23-003P**  
**(Lower Trinity)**  
**Application Letter & Form**



Ken Baumgardner

971-732-4945

Well property location:

200 Buckeye Rd

Killeen, TX 76542

Property ID# 513850

RECEIVED  
JUN 20 2021  
BY: *[Signature]*  
Admin. Longhite

Well Application for 200 Buckeye Rd., Killeen, TX 76542

Recently my family has purchased a 19.35-acre property with the intent to sub-divide using the Family Grant process. Our intent is to have this property divided into three lots consisting of a 7.27-acre tract of land in Bell County which is addressed as 200 Buckeye Rd, a second 7.07-acre tract of land in Bell County addressed as 208 Buckeye Rd., and a third 5.001-acre tract of land in Bell County which is addressed as 216 Buckeye Rd. Working with the county Judge and the county's legal representation we discovered that the original recorded deeds were not properly transferred from the matriarch to the siblings as it came from the matriarch's trust, and not the individual person. To be in accordance with the county code and regulations we went through the following steps to correct and resubmit the current recorded deeds. All deeds were revoked back to the Trust name that originally purchased this property. We then recorded a Deed from the trust to the actual person or matriarch (Barbara Ann Reavis). Once this was recorded, we then proceeded with the transfer from the matriarch to the siblings using the Family Grant process. The attached Deeds show this to be true. The current recorded Deed owners are the direct descendants of the matriarch. This project is subdividing the family land under County rules and to the best of my knowledge does not require the TCEQ Groundwater Availability Study because we are under the family grant provision and because we are seeking only one well.

I am requesting a combination drilling/operating permit (.38-ac-ft/year or 124,000/yr) for a new non-exempt well (level 1) to be metered and have the water levels measured no less than quarterly by the District. Our property is in the Southwest management zone to be located on the 200 Buckeye rd. property for the beneficial use of a single-family home consisting of three residents and to include native or adapted plants landscaping irrigation. We are intending to drill into the Lower Trinity Aquifer. We do not anticipate the two other properties 208 and 216 Buckeye Rd. to request any non-exempt wells as they are working to improve the existing City of Georgetown water main to support water meters for those lot's future needs. I have been in contact with Bobby Stork of Alpine Water Well services to drill and equip the well as he properly licensed by TDLR and is familiar with the geology of southwest Bell County. I anticipate our annual water usage not to exceed 124,000 gallons or .38 ac-ft per year.

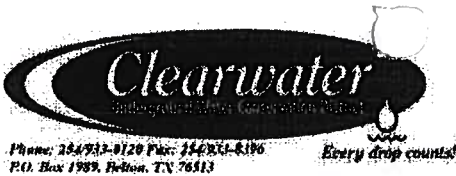
I have also submitted the required application and the application fee of \$150.00 has been mailed.

Sincerely

Ken Baumgardner

*[Signature]*  
Jan 27<sup>th</sup> 2023





# Application for Non-Exempt Well Classification 3

**N3-23-003P**

<p>Check one of the following:</p> <p><input checked="" type="radio"/> <b>COMBINATION PERMIT</b></p> <p><input type="radio"/> <b>DRILLING PERMIT</b></p> <p><input type="radio"/> <b>OPERATING PERMIT</b></p> <p><input type="radio"/> <b>PERMIT AMENDMENT</b></p>	<p>Answer the following:</p> <p>Is this for a New Well? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>Is this for a Replacement Well? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>Do you plan to Export Water Outside District? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>Are you modifying a Drilling Permit? <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>Are you modifying an Operating Permit? <input type="radio"/> Yes <input checked="" type="radio"/> No</p>
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**1. Owner Information**

Well Owner: Ken Baumgardner Email: ken.baumgardner@gmail.com Telephone: 971-732-4945  
 Address (Street/P.O. Box, City, State, ZIP): 1334 Irishmoss Trl., Round Rock, TX 78665  
 Contact Person (if other than owner): \_\_\_\_\_ Telephone: \_\_\_\_\_  
 If ownership of Well has changed, name the previous owner: \_\_\_\_\_ State Well #: \_\_\_\_\_

**2. Property Location & Proposed Well Location**

Owner of Property (if different from Well Owner): \_\_\_\_\_  
 The well is located in Management Zone: \_\_\_\_\_  
 Acreage: 7.271 Bell CAD Property ID #: 513850 Latitude: 30°54'20"N Longitude: 97°46'34"W  
30.90563 -97.77624

**3. Well Description (Submit if State of Texas Well Report is Available)**

a. Proposed use of well and estimated amount of water, in acre-feet, to be used for each purpose:  
 38 \*Domestic; \_\_\_\_\_ Livestock/Poultry; \_\_\_\_\_ Agricultural/Irrigation;  
 \_\_\_\_\_ \*\* Public Supply; \_\_\_\_\_ Industrial \_\_\_\_\_ Other  
 \*Total number of houses to be serviced by the well 1  
 \*\* Applicant is required to give notice to TCEQ to obtain or modify a Certificate of Convenience and Necessity to provide water or wastewater service with water obtained pursuant to the requested permit.

b. Estimated distance, in feet, from the nearest:  
n/ 250 N / S Property Line; E/ 75 E / W Property Line; none Existing Septic Leach Field  
n/a River, Stream, or Lake; n/a Existing Water Well; n/a Livestock Enclosure;  
 \_\_\_\_\_ Other Source of Contamination (cemetery, pesticide mixing/loading, petroleum storage tank, etc.)

c. Estimated Rate of Withdrawal (GPM): 17 GPM

d. Is the Property subject to flooding? No

e. Is there another well on the property? No  ; If YES, how many wells? \_\_\_\_\_

f. Is the well part of a multi-well aggregate system? No   
 If YES, list the State or District Well Numbers: \_\_\_\_\_

**REQUIRED BY LAW: Pump Installer / Well Driller Information**

Name: Stork, Bobby Wayne Street Address: 10121 N Interstate 35  
 TDLR Pump Installer License #: \_\_\_\_\_ City, State, ZIP: Jarrell, TX 76537  
 TDLR Well Driller License #: 2912 Phone: 512-746-2171 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

Name of Consultant preparing Application (if applicable): \_\_\_\_\_  
 Con. Phone: \_\_\_\_\_ Con. Fax: \_\_\_\_\_ Con. Email: \_\_\_\_\_

**4. Completion Information**

Provide the following information to the extent known and available at the time of application:

Proposed Total Depth of Well: 580 ft;  
Borehole Diameter (Dia): 8 inches (in) from \_\_\_\_\_ to \_\_\_\_\_;  
Dia (2) \_\_\_\_\_ in from \_\_\_\_\_ to \_\_\_\_\_;  
Casing Material: PVC; Inside Diameter (ID): 4.5 in;  
Screen Type: PVC; Screen Dia. 4.5 in from \_\_\_\_\_ to \_\_\_\_\_; # of Packers: 3  
Pump Type: Submersible ; Power: Electric ; Horsepower Rating: 3hp;  
Pump Depth: 550; Column Pipe ID: 1 1/4 in.   
Date Completed: \_\_\_\_\_  
Proposed Water Bearing Formation: Lower Trinity ; Management Zone: Southwest

**5. Operating Permit**

Number of contiguous acres owned or leased on which water is to be produced: 7.27 acres  
Total annual production requested with this operating permit: 124,000 gallons per year or .38 acre-feet  
If exporting water, what is the annual volume requested for export out of the District: \_\_\_\_\_ Gallons  
What is the annual volume requested for export as a % of total pumpage: \_\_\_\_\_ %  
If modifying an operating permit, what is the current, permitted annual production: \_\_\_\_\_ ac-ft  
What is the requested amount of annual production: \_\_\_\_\_ ac-ft

**6. Attachments**

Include a statement/documentation explaining your requested production.  
If amending an existing permit, explain the requested amendment and the reason for the amendment in a signed and dated letter, attached to this application.  
If requesting operating permits or permit renewals for multiple wells, please attach a separate sheet with the information requested in Section 5 for each well.  
If applicant plans to export water outside the District, address the following in an attachment and provide documents relevant to these issues:

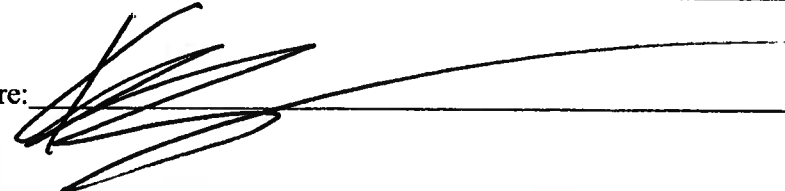
- The availability of water in the District and in the proposed receiving area during the period requested
- The projected effect of the proposed export on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District
- How the proposed export is consistent with the approved regional water plan and certified District Management Plan

For more attachments that may be needed, please see the *Full Summary of the Permit Application Process* document.

**7. Certification**

*I hereby certify that the information contained herein is true and correct to the best of my knowledge and belief. I certify to abide by the terms of the District Rules, the District Management Plan, and orders of the Board of Directors. I agree to comply with all District well plugging and capping guidelines as stated in the District Rules.*

Typed Name of the Owner or Designee: Ken Baumgardner

Signature:  Date: 1-25-2023

**Clearwater Underground Water Conservation**

PO Box 1989  
Belton, TX 76513

**Invoice**

**Invoice #:** 195  
**Invoice Date:** 6/22/2023  
**Due Date:** 6/22/2023  
**Project:**  
**P.O. Number:**

**Bill To:**

Ken Baumgardner  
1334 Irishmoss Trail  
Round Rock, TX 78665

Date	Description	Amount
6/22/2023	Permit Application Fee	150.00

<b>Total</b>	<b>\$150.00</b>
<b>Payments/Credits</b>	<b>\$0.00</b>
<b>Balance Due</b>	<b>\$150.00</b>

# Payment Receipt

Clearwater Underground Water Conservation

PO Box 1989  
Belton, TX 76513

Received From
Ken Baumgardner 1334 Irishmoss Trail Round Rock, TX 78665

Date	6/22/2023
Payment Method	Check
Check/Ref No	3831

Payment Amount	\$150.00
Total Amount Due	\$0.00

## Invoices Paid

Date	Invoice Number	Amount Due	Amount Applied
6/22/2023	195	\$150.00	\$150.00

3831

**KEN P BAUMGARDNER**  
**TERESA L BAUMGARDNER**  
1334 IRISHMOSS TRL  
ROUND ROCK, TX 78665-3885

90-8037/3211  
110

Jan 27 2023  
Date

Pay to the Order of Clearwater Underground Water Conserv. Dist \$ 150 <sup>00</sup>/<sub>100</sub>

One hundred fifty dollars <sup>00</sup>/<sub>100</sub> Dollars

**First Tech**  
federal credit union  
firsttechfed.com | 855.855.8805

For 200 Backlog App Fee

[Signature]

MP

1:32 [Redacted]

**N3-23-003P**

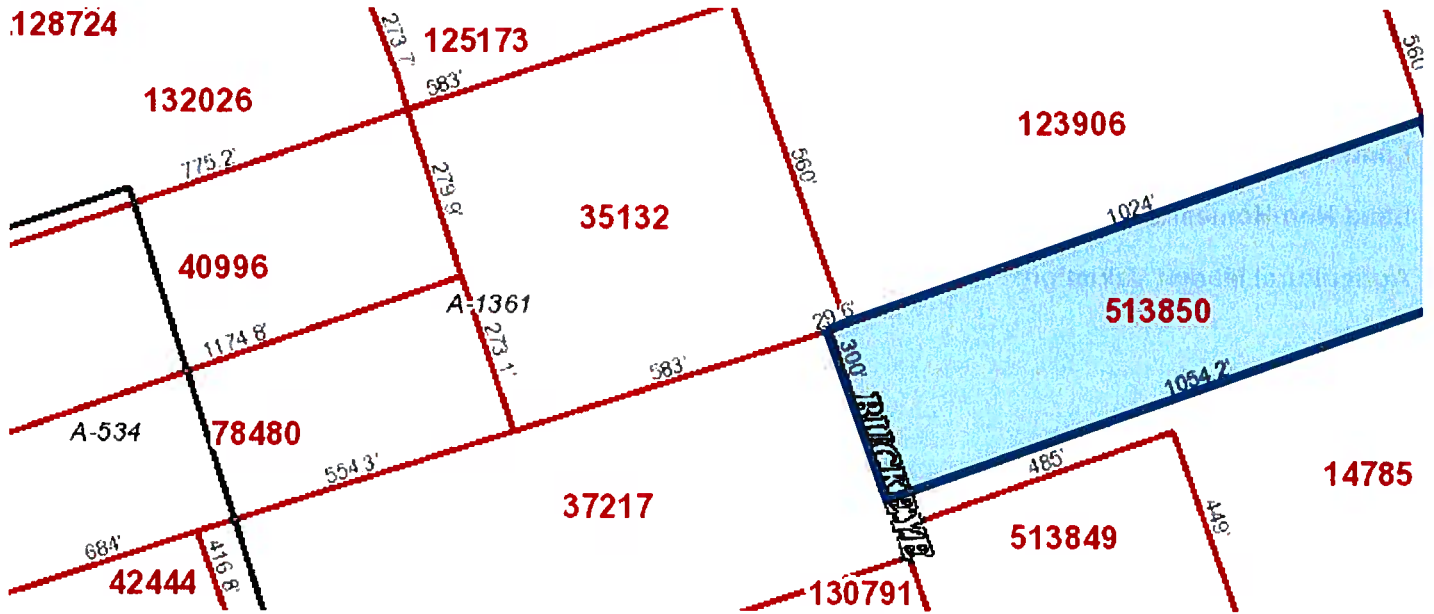
**Property Ownership Confirmation  
Family Grant Approval**

# Tax Appraisal District of Bell County Property Search

## Property ID: 513850 For Year 2023

Map

128724



### Property Details

#### Account

Property ID: 513850      Geographic ID: 0647310902  
Type: Real      Zoning:

#### Location

Situs Address: 200 BUCKEYE RD KILLEEN, TX 76542  
Map ID: 68D01      Mapsco:  
Legal Description: A1361BC S C BROCKMAN, TR S-7, TR S-8, MOUNTAIN CREEK RANCH, ACRES 7.271

Abstract/Subdivision: A1361BC - S C BROCKMAN

Neighborhood: RKILKIMTCK

#### Owner

Owner ID: 918752  
Name: BAUMGARDNER, KENNETH PATRICK & TERESA L  
Agent: PLATEAU LAND AND WILDLIFE, INC  
Mailing Address: 1334 IRISHMOSS TRL  
ROUND ROCK, TX 78665

% Ownership: 100.0%

WCLW

CLEARWATER U.W.O.D.

\$171,375

\$171,375

### Property Improvement - Building

### Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
NATP	NATIVE PASTURELAND	7.2710	316,724.76	0.00	0.00	\$171,375	\$0

### Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2023	\$0	\$171,375	\$0	\$171,375	\$0	\$171,375

### Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
1/11/2023	1	WARRANTY DEED	REAVIS, BARBARA ANN	BAUMGARDNER, KENNETH PATRICK & TERESA L			2023001999
1/10/2023	1	WARRANTY DEED	REAVIS, BARBARA ANN TRUST	REAVIS, BARBARA ANN			2023001580
7/1/2022	12	CORRECTION DEED	BAUMGARDNER, KENNETH PATRICK & TERESA L	REAVIS, BARBARA ANN TRUST			2022073516
7/1/2022	1	WARRANTY DEED	REAVIS, BARBARA ANN TRUST	BAUMGARDNER, KENNETH PATRICK & TERESA L			2022042358
6/2/2021	1	WARRANTY DEED	BUCK, CHARLES B JR	REAVIS, BARBARA ANN TRUST			2021035119

### Estimated Tax Due

**\*\*ATTENTION\*\***

Indicated amount may not reflect delinquent tax due beyond a 5-year history. Partial payments or contract payments may not be reflected. Quarter payments that are made according to Section 31.031 of the Texas Property Tax Code are not considered delinquent.



LAW OFFICE OF  
**RUSSELL FROST**  
PLLC

May 22, 2023

Russell Frost  
rfrost@russellfrostlaw.com  
(512) 225-5590  
Fax: (512) 692-2895

Clearwater Underground Water Conservation District  
Attn: Dirk Aaron, General Manager  
[daaron@cuwcd.org](mailto:daaron@cuwcd.org)

*VIA email*

Re: Family Grant exemption to Bell County Subdivision Regulations for re-subdivided tracts on Buckeye Road, Killeen, Bell County, Texas

Our client(s): Kenneth Baumgardner

Dear Mr. Aaron:

I am writing on behalf of Kenneth Baumgardner (my "Client") in response to your email dated January 23, 2023, concerning my Client's well application for a 7.271-acre tract in Bell County, TX. See Exhibit A. You may respond to my Client directly or contact this office with any questions concerning this matter.

As you are aware, my Client and several family members executed subdivision deeds for a 19.35-acre tract of land located on Buckeye Road, Killeen, Bell County, Texas, pursuant to the Family Grant platting exemption. Although the Family Grant exemption is reflected in Bell County's local platting guidelines, the same finds its statutory authority in the Local Government Code. See LOCAL GOV'T CODE § 232.0015(e) ("A county may **not** require the owner of a tract of land located outside the limits of a municipality who [1] divides the tract into four or fewer parts and [2] does not lay out part of the tract described by Section 232.001(a)(3) to have a plat of the subdivision prepared if each of the lots is to be sold, given, or otherwise transferred to an individual who is [3] related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573 , Government Code.") (**bold bracket numbers inserted for reference to elements hereinbelow**).

At the outset, I note that Clearwater appears to be awaiting affirmative confirmation from the County that my Client's tract satisfies the Family Grant platting exemption. The County's attorney Mr. Allison has advised Judge Blackburn and the Commissioners that they lack authority to make such an affirmative assessment concerning Family Grant. See Exhibit B, p. 1 ("Counties may exercise only the authority specifically granted by the Texas Constitution or by statute and those that may be reasonably inferred therefrom. *Canales v. Laughlin*, 214 S.W.2d 451 (Tex. 1948). The exemptions to the plat requirements in Section 232.0015 [of the Local Government Code] are granted by the legislature. The commissioners court has no authority to confirm or



certify that a particular transaction meets the requirements of any exception.”). Mr. Allison continues by explaining that the County’s authority in this regard is limited to citing violations of the platting requirements—i.e., the County can only state that a tract does *not* qualify for an exemption due to some violation of Chapter 232. *See Exhibit B*, p. 1. In other words, the County is unlikely to ever issue a certification that the Family Grant exemption applies; rather, it will simply cite violations as they may arise, as it has done in this case, until there are no further violations assessed.

**For the reasons that follow, my Client and his fellow grantees satisfy the elements of the statutory Family Grant exemption (and any and all purported violations of Chapter 232 cited by the County to date have now been cured):**

- 1) **Tract Count Element:** The original owner, Ms. Barbara Ann Reavis (the “Owner”), divided the original 19.35-acre tract into three subdivided daughter tracts—i.e., four or fewer parts. This element has never been challenged.
- 2) **Section 232.001(a)(3) Restrictions Element:** Chapter 232 of the Local Government Code requires platting of a subdivision where the owner “divides the tract into two or more parts to lay out . . . streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts.” The Family Grant clause expressly refers to these restrictions, indicating that the Family Grant exemption does not apply where the owner takes such actions. *See LOCAL GOV’T CODE § 232.0015(e)*.

**Cited Violation:** By letter dated March 27, 2023, the County attorney advised Judge Blackburn and the Commissioners that a Joint Driveway and Utility Easement executed by the Owner for the new daughter tracts constituted a violation of Section 232.001(a)(3)—i.e., and therefore the Family Grant exemption could not apply. *See Exhibit B*, p. 2 (“This Easement constitutes a part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts . . . While this Easement continues to exist, the division of the Reavis tract cannot qualify for the family conveyance exemption, and an approved plat is required.”).

**Cure:** Without debating the merits of this assessed violation, my Client and his fellow grantees executed and recorded a revocation instrument to terminate this Easement. *See Exhibit C* (Release of Easement, dated April 6, 2023, recorded as Doc. No. 2023015857 in Official Public Records of Bell County, Texas). Because this Easement no longer exists, any violation of Section 232.001(a)(3) it may have caused has now been cured.

To date, the County has not cited any other purported violations of this element.

- 3) **Consanguinity/Affinity Element:** Barbara Ann Reavis transferred the three subdivided daughter tracts to the following grantees, all of whom are related to Ms.

Reavis within the first degree of consanguinity or affinity according to Chapter 573 of the Texas Government Code:

- a. **Tract 1 (7.271-acre):** to her son Kenneth P. Baumgardner and her daughter-in-law Teresa Baumgardner.
- b. **Tract 2 (5.000-acre):** to her daughter Kari Ann Ostrom and son-in-law Scott E. Ostrom.
- c. **Tract 3 (7.077-acre):** to her son Kurtis B. Baumgardner, with Barbara Ann Reavis retaining an undivided 1/2 interest.

The County has never affirmatively disputed any of these relationships; however, our office has provided the County with evidence of the same in the form of sworn affidavits, birth certificates, and marriage licenses for all of the above—as applicable. See Exhibit D.

**Cited Violation:** By letter dated October 11, 2022, the County attorney advised Judge Blackburn and the Commissioners that the *original* form of this subdivision conveyance failed to satisfy the Family Grant consanguinity element because the *original* subdividing conveyances were made by Barbara Ann Reavis as Trustee of the Barbara Ann Reavis Trust—i.e., rather than Ms. Reavis *individually*. In short, the County attorney stated that a violation existed because the Trust was the legal owner of the property and could not be related to an individual.

**Cure:** In response, my Client, his fellow grantees, and Ms. Reavis all executed revocation instruments for the original conveyances. In short, the subdivided tracts were returned to their original undivided 19.35-acre form; title of the healed tract was conveyed from the Trust to Ms. Reavis *individually*; and Ms. Reavis then *individually* re-executed the subdivision conveyances, resulting in the current vesting of title and a cure for the purported violation.

To date, the County has not cited any other purported violations of this element.

As discussed, the County has been counseled that it lacks the authority to provide Clearwater with an affirmative certification that the Family Grant exemption applies here. For the reasons above, all elements of the statutory Family Grant exemption are satisfied. Further, any and all cited statutory violations of Chapter 232 that might preclude application of the Family Grant to this conveyance have been cured.

In light of the foregoing, I respectfully request that Clearwater permit my Client to move forward with his well application. If any further assurances are necessary, I request that Clearwater contact Judge Blackburn's office to seek confirmation that my Client, his fellow grantees, and Ms. Reavis have undertaken the above-described actions to cure any and all purported violations of Chapter 232 cited to date.

Please do not hesitate to contact my associate attorney Forrest Culotta at [fculotta@russellfrostlaw.com](mailto:fculotta@russellfrostlaw.com) to discuss this matter or request more information.

Very truly yours,



RUSSELL FROST

RF/FC

- Ex. A – Email from Clearwater to Ken Baumgardner (01.23.23)
- Ex. B – Letter from County attorney J. Allison to Judge Blackburn (March 27, 2023)
- Ex. C – Recorded Release of Easement (04.06.23)
- Ex. D – Affidavits re Consanguinity and Affinity of subdivision grantees

ALLISON, BASS & MAGEE, L.L.P.

*Attorneys at Law*

1301 Nueces Street, Suite 201  
AUSTIN, TEXAS 78701  
(512) 482-0701  
FAX (512) 480-0902

Ex. B

JAMES P. ALLISON  
[j.allison@allison-bass.com](mailto:j.allison@allison-bass.com)

ROBERT T. BASS  
[r.bass@allison-bass.com](mailto:r.bass@allison-bass.com)

J. ERIC MAGEE  
[e.magee@allison-bass.com](mailto:e.magee@allison-bass.com)

SUSANA NARANJO-PADRON  
[s.naranjo-padron@allison-bass.com](mailto:s.naranjo-padron@allison-bass.com)

March 27, 2023

**Privileged and Confidential**

**VIA EMAIL**

The Honorable David Blackburn  
Bell County Judge  
101 E. Central Avenue  
Belton, Texas 76513  
[david.blackburn@bellcounty.texas.gov](mailto:david.blackburn@bellcounty.texas.gov)

RE: Subdivided Tracts on Buckeye Road

Dear Judge Blackburn and Members of the Commissioners Court:

Pursuant to your request, we have examined the status of the division of certain tracts on Buckeye Road by Barbara Ann Reavis. We are in receipt of a letter from attorney Russel Frost for Kenneth Baumgardner, a joint grantee of a tract from Ms. Reavis. We have also reviewed legal instruments filed for record in the Public Records of Bell County, Texas.

The letter from Mr. Frost asserts that the subdivision of tracts conveyed by Ms. Reavis are exempt from the statutory platting requirements under Section 232.0015(e), Local Government Code (family conveyance exemption). The letter seeks confirmation by Bell County of the application of this platting exemption to these transactions.

Counties may exercise only the authority specifically granted by the Texas Constitution or by statute and those that may be reasonably inferred therefrom. *Canales v. Laughlin*, 214 S.W. 2d 451 (Tex. 1948). The exemptions to the plat requirements in Section 232.0015 are granted by the legislature. The commissioners court has no authority to confirm or certify that a particular transaction meets the requirements of any exception. Further, although Mr. Frost states that the relationships in these transactions between Ms. Reavis and the Grantees meet the requirements for the family conveyance exemption, we have not reviewed any evidence to support this assertion. While these assertions may be accurate, the commissioners court cannot confirm this from the available record. Therefore, the commissioners court cannot certify or confirm that these transactions are exempt from the platting requirements under the family conveyance exemption.

Further, under Section 232.005, "the commissioners court may request an enforcement action for a violation of a requirement established by, or adopted by the commissioners court under a section of this chapter", including the plat filing requirement. Unfortunately, the evidence in the public record indicates that the Reavis' transactions are in violation of the plat filing requirement.

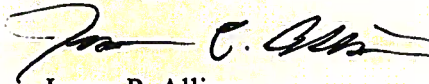
March 27, 2023

Page | 2

There are other specific statutory requirements for the family conveyance exemption, besides the aforementioned family relationships. First, the tract must be divided into four or fewer parts. Second, the owner cannot lay out "other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts." Section 232. 001(a)(3). On July 1, 2022, Barbara Ann Reavis, Trustee of the Barbara Ann Reavis Trust, executed an instrument titled Joint Driveway & Utility Easement Agreement, as recorded in the Public Records of Bell County, Texas. This instrument conveys a perpetual easement for a "shared driveway" fronting and adjacent to the above tracts. In Paragraph 2, the purpose of the Easement is defined: "The Easement will be used by the Owners of Tract One, Tract Two, and Tract Three of the property, and their guests and invitees, as a shared driveway to provide egress and ingress for vehicles and pedestrians to each of the three Tracts comprising the Property. No owner will block or impede the use of the Easement for its intended purpose or allow any other person to block or impeded its use." This Easement constitutes a part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts. Therefore, this tract is not eligible for the family conveyance exemption. While this Easement continues to exist, the division of the Reavis tract cannot qualify for the family conveyance exemption, and an approved plat is required.

Please let me know if you need any further information.

Sincerely,



James P. Allison

JPA/jm  
Enclosure



# Ex. C

2022042348 /  
01/17/23 11:39AM

**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.**

## **RELEASE OF EASEMENT**

**Date:** April 6<sup>th</sup>, 2023

### **Easement ("Easement Agreement"):**

The Easement Agreement is described in the following document:

Joint Driveway & Utility Easement Agreement, executed on July 1, 2022 by Barbara Ann Reavis, Trustee of the Barbara Ann Reavis Trust dated March 13, 1998, the same being recorded as Doc. No. 2022042348 in Vol. 12791, Page 0718 in the Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.).

The metes-and-bounds description of the Easement is more fully described in Exhibit "D" to the above-referenced Doc. No. 2022042348.

### **Easement Holders (and Mailing Addresses):**

- 1) Kenneth Patrick Baumgardner and Teresa L. Baumgardner  
1334 Irishmoss Trail  
Round Rock, Williamson County, Texas 78665
- 2) Scott E. Ostrom and Kari Ann Ostrom  
19640 SW Longacre Ct.  
Beaverton, Washington County, Oregon 97003
- 3) Kurtis B. Baumgardner and Barbara Ann Reavis  
1334 Irishmoss Trail  
Round Rock, Williamson County, Texas 78665

### **Easement Property Owner (and Mailing Address):**

Kurtis B. Baumgardner and Barbara Ann Reavis  
1334 Irishmoss Trail  
Round Rock, Williamson County, Texas 78665

**Property Benefitted by the Easement:**

- 1) **TRACT ONE: 7.271-acre tract** of land in Bell County, Texas, being part of the S.C. Brockman Survey, Abstract No. 1361, said land being part of a called 19.35-acre tract of land conveyed in Warranty Deed with Vendor's Lien to Barbara Ann Reavis, Trustee of The Barbara Ann Reavis Trust dated March 13, 1998, being described in Exhibit "A" of record in Doc. No. 2021035119 of the O.P.R.R.P.B.C.T., the same being the Original Instrument of Conveyance in a Nonmaterial Correction Affidavit recorded as Doc. No. 2023001046 in the O.P.R.R.P.B.C.T., and the said 7.271-acre tract having been subsequently conveyed in a General Warranty Deed dated January 11, 2023, to Kenneth Patrick Baumgardner and Teresa L. Baumgardner, recorded as Doc No. 2023001999 in the O.P.R.R.P.B.C.T.
- 2) **TRACT TWO: 5.000-acre tract** of land in Bell County, Texas, being part of the S.C. Brockman Survey, Abstract No. 1361, said land being part of a called 19.35-acre tract of land conveyed in Warranty Deed with Vendor's Lien to Barbara Ann Reavis, Trustee of The Barbara Ann Reavis Trust dated March 13, 1998, being described in Exhibit "A" of record in Doc. No. 2021035119 of the O.P.R.R.P.B.C.T., the same being the Original Instrument of Conveyance in a Nonmaterial Correction Affidavit recorded as Doc. No. 2023001046 in the O.P.R.R.P.B.C.T., and the said 5.000-acre tract having been subsequently conveyed in a General Warranty Deed dated January 11, 2023, to Scott E. Ostrom and Kari Ann Ostrom, recorded as Doc No. 2023002000 in the O.P.R.R.P.B.C.T.
- 3) **TRACT THREE: 7.077-acre tract** of land in Bell County, Texas, being part of the S.C. Brockman Survey, Abstract No. 1361, said land being part of a called 19.35-acre tract of land conveyed in Warranty Deed with Vendor's Lien to Barbara Ann Reavis, Trustee of The Barbara Ann Reavis Trust dated March 13, 1998, being described in Exhibit "A" of record in Doc. No. 2021035119 of the O.P.R.R.P.B.C.T., the same being the Original Instrument of Conveyance in a Nonmaterial Correction Affidavit recorded as Doc. No. 2023001046 in the O.P.R.R.P.B.C.T., and an undivided one-half interest in the said 7.077-acre tract having been subsequently conveyed in a General Warranty Deed dated January 11, 2023, to Kurtis B. Baumgardner (with Barbara Ann Reavis individually retaining an undivided one-half interest), recorded as Doc No. 2023002001 in the O.P.R.R.P.B.C.T.

**Property Subject to the Easement ("Easement Property"):**

**TRACT THREE: 7.077-acre tract** of land in Bell County, Texas, being part of the S.C. Brockman Survey, Abstract No. 1361, said land being part of a called 19.35-acre tract of land conveyed in Warranty Deed with Vendor's Lien to Barbara Ann Reavis, Trustee of The Barbara Ann Reavis Trust dated March 13, 1998, being described in Exhibit "A" of record in Instrument No. 2021035119 of the O.P.R.R.P.B.C.T., the same being the Original Instrument of Conveyance in a Nonmaterial Correction Affidavit recorded as Doc. No. 2023001046 in the O.P.R.R.P.B.C.T., and an undivided one-half interest in the said 7.077-acre tract having been subsequently conveyed in a General Warranty Deed dated January 11, 2023, to Kurtis B. Baumgardner (with Barbara Ann Reavis individually retaining an undivided one-half interest), recorded as Doc No. 2023002001 in the O.P.R.R.P.B.C.T.

The Easement Holders hereby release the Easement Property from the Easement Agreement and all other rights which the Easement Holders or the Benefitted Property may have in the Easement Property.

Further, the Easement Property Owners, being the current owners of the Easement Property, hereby acknowledge the termination of the Easement Agreement and release the Easement Holders and their officers, agents, successors and assigns from any past, present, or further obligations for maintenance, repair, insurance, or any other obligations which the Easement Holders have had under the terms of the Easement Agreement.

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

**NOTICE:** This instrument was prepared by THE LAW OFFICE OF RUSSELL FROST, PLLC using information provided by third parties. We have not investigated or verified information provided to us and do not warrant the validity of the information or quality of title to the real estate described above.









PREPARED IN THE OFFICE OF:

**LAW OFFICE OF RUSSELL FROST**

711 West 7th Street

Austin, Texas 78701

Tel: (512) 225-5590

Fax: (512) 692-2895

AFTER RECORDING RETURN TO:

**LAW OFFICE OF RUSSELL FROST**

711 West 7th Street

Austin, Texas 78701

Tel: (512) 225-5590

Fax: (512) 692-2895



**Bell County  
Shelley Coston  
County Clerk  
Belton, Texas 76513**

**Instrument Number: 2023015857**

As

**RELEASE OF EASEMENT**

**Recorded On:** April 17, 2023

**Parties:** BAUMGARDNER KENNETH PATRICK

**To** REAVIS BARBARA ANN TRUSTEE

**Comment:**

**Billable Pages: 7**

**Number of Pages: 8**

( Parties listed above are for Clerks' reference only )

**\*\* Examined and Charged as Follows \*\***

CLERKS RMF:	\$5.00
COURT HOUSE SECURITY:	\$1.00
RECORDING:	\$29.00
EXTRA NAMES:	\$0.25
<b>Total Fees:</b>	<b>\$35.25</b>

\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information**

Instrument Number: 2023015857  
 Receipt Number: 339911  
 Recorded Date/Time: 04/17/2023 11:39:00 AM  
 User / Station: zbranead - BCCCD0642

**Record and Return To:**

LAW OFFICE OF RUSSELL FROST, PLLC  
 711 W 7TH STREET  
 AUSTIN, TX 78701



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston  
 Bell County Clerk



669

STATE OF OREGON—STATE HEALTH DIVISION  
Vital Statistics Section

136-

'73-012889

Local File Number

CERTIFICATE OF LIVE BIRTH

Birth Number

CHILD—NAME		First	Middle	Last		
1		Kenneth	Patrick	Baugardner		
SEX	THIS BIRTH—single, twin, triplet, etc. (specify)	IF NOT SINGLE BIRTH—Born first, second, third, etc. (specify)		DATE OF BIRTH (month, day, year)	HOUR	
2. Male	3a. single	3b.		4a. May 25, 1973	4b. 11:31 A. M.	
COUNTY OF BIRTH		CITY, TOWN, OR LOCATION OF BIRTH		HOSPITAL—NAME (if not in hospital, give street and number)		
5a. Washington		5b. Portland		5c. St. Vincent Hospital		
MOTHER—MAIDEN NAME		First	Middle	Last	AGE (at time of this birth)	STATE OF BIRTH (if not in U.S.A., name country)
6a.		Barbara	Ann	Rasmussen	6b. 24	6c. Oregon
RESIDENCE—STATE	COUNTY	CITY, TOWN, OR LOCATION		INSIDE CITY LIMITS (specify yes or no)	STREET AND NUMBER OR R.F.D. (ZIP)	
7a. Oregon	7b. Washington	7c. Aloha		7d. no	7e. 5000 S. W. 175th. Ave. 97003	
FATHER—NAME		First	Middle	Last	AGE (at time of this birth)	STATE OF BIRTH (if not in U.S.A., name country)
8a.		Patrick	James	Baugardner	8b. 28	8c. Kansas
INFORMANT—SIGNATURE				The information listed in items 1-8 is true and correct to the best of my knowledge.		RELATION TO CHILD
9a. Barbara Ann Rasmussen						9b. Mother
I certify that the above named child was born alive at the place and time and on the date stated above.				DATE SIGNED (month, day, year)	ATTENDANT—M.D., D.O., or Other (specify)	
10a. SIGNATURE Paul E. Zuelke				10b. 5-27-73	10c. M.D.	
CERTIFIER—NAME (Type or print)				MAILING ADDRESS (Street, city or town, state, zip)		
10d. Paul E. Zuelke				10e. Portland Medical Center, Portland, Oregon, 97003		
REGISTRAR—SIGNATURE				DATE RECEIVED BY LOCAL REGISTRAR	DATE RECEIVED BY STATE REGISTRAR	
11a. Betty M. Smith				11b. month day year May 30, 1973	11c. month day year JUN - 6 1973	
ITEM CORRECTED: CORRECTED TO READ:				DOCUMENTARY EVIDENCE: REVIEWED BY:		
12.						
CONFIDENTIAL INFORMATION FOR MEDICAL AND HEALTH USE ONLY						
RACE—FATHER		EDUCATION—SPECIFY HIGHEST GRADE COMPLETED		PREVIOUS DELIVERIES—HOW MANY OTHER CHILDREN		

STATE OF OREGON  
County of Multnomah

ss.

DATE ISSUED AUGUST 2, 1973

I hereby certify that the foregoing copy has been compared by me with the original document and is a true, full and correct copy of the original certificate as the same appears on file in the Vital Statistics Section of the Oregon State Health Division and in my official care and custody.



*Betty M. Smith*  
STATE REGISTRAR

TYPE/PRINT  
IN  
PERMANENT  
BLACK INK.

2002-1309  
Local File Number

OREGON DEPARTMENT OF HUMAN SERVICES  
CENTER FOR HEALTH STATISTICS

136-

State File Number

APPLICATION, LICENSE, AND RECORD OF MARRIAGE

LOCAL OFFICIAL	COUNTY <u>WASHINGTON</u>	LICENSE EFFECTIVE ON OR AFTER <u>July 1, 2002</u>
GROOM	1. GROOM'S NAME First <u>Kenneth</u> Middle <u>Patrick</u> Last <u>Baumgardner</u>	2. BIRTHPLACE (State or Foreign Country) <u>OR</u>
	3. DATE OF BIRTH (Month, Day, Year) <u>05/29/1973</u>	4. AGE (18 or older, 17 with consent) <u>29</u>
CONSENT FORM	5. SEX <u>M</u>	6. OCCUPATION <u>System Support Engineer</u>
WAVES	7. PREVIOUS MARITAL STATUS (Single, Widowed, Divorced) <u>Single</u>	8a. FATHER'S NAME (First, Middle, Last) <u>Patrick James Baumgardner</u>
	8b. BIRTHPLACE (State or Foreign Country) <u>ORegon</u>	9a. MOTHER'S NAME (First, Middle, Maiden Surname) <u>Barbara Ann Rasmussen</u>
	9b. BIRTHPLACE (State or Foreign Country) <u>ORegon</u>	10. GROOM'S ADDRESS (Street and Number) <u>444 NE Tina Ct</u> City or Town <u>Hillsboro</u> County <u>Washington</u> State <u>OR</u> Zip <u>ORegon 97124</u>
	11. If affidavit is required as proof of age, the name and address of the affiant. Name: _____ Address: _____	
BRIDE	12a. BRIDE'S NAME First <u>Teresa</u> Middle <u>Lynn</u> Last <u>Morrison</u>	12b. MAIDEN SURNAME (if Different) <u>N/A</u>
	12c. PREVIOUS NAME (if Different) <u>N/A</u>	13. BIRTHPLACE (State or Foreign Country) <u>OR</u>
CONSENT FORM	14. DATE OF BIRTH (Month, Day, Year) <u>12-08-73</u>	15. AGE (18 or older, 17 with consent) <u>28</u>
WAVES	16. SEX <u>F</u>	17. OCCUPATION <u>Customer Service</u>
	18. PREVIOUS MARITAL STATUS (Single, Widowed, Divorced) <u>Single</u>	19a. FATHER'S NAME (First Middle, Last) <u>James Ervin Morrison</u>
	19b. BIRTHPLACE (State or Foreign Country) <u>OREgon</u>	20a. MOTHER'S NAME (First, Middle, Maiden Surname) <u>Frances Vertheese Tenney</u>
	20b. BIRTHPLACE (State or Foreign Country) <u>Unknown</u>	21. BRIDE'S ADDRESS (Street and Number) <u>2235 12th Ave.</u> City or Town <u>Forest Grove</u> County <u>Washington</u> State <u>ORegon</u> Zip <u>97116</u>
	22. If affidavit is required as proof of age, the name and address of the affiant. Name: _____ Address: _____	
OFFICIALS	WE HEREBY CERTIFY THAT THE INFORMATION PROVIDED IS CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AND THAT WE ARE FREE TO MARRY UNDER THE LAWS OF THIS STATE.	
	23. GROOM'S LEGAL SIGNATURE <u>[Signature]</u>	24. BRIDE'S LEGAL SIGNATURE <u>[Signature]</u>
	NEITHER YOU NOR YOUR SPOUSE IS THE PROPERTY OF THE OTHER. THE LAWS OF THE STATE OF OREGON AFFIRM YOUR RIGHT TO ENTER INTO MARRIAGE AND AT THE SAME TIME TO LIVE WITHIN THE MARRIAGE FREE FROM VIOLENCE AND ABUSE.	
LICENSE TO MARRY	This License Authorizes the Marriage in this State of the Parties Named Above by Any Person Duly Authorized to Perform a Marriage Ceremony Under the Laws of the STATE OF OREGON.	25. LICENSE EXPIRES (Month, Day, Year) <u>August 29, 2002</u>
	26. DATE LICENSE ISSUED <u>June 28, 2002</u>	27. SIGNATURE OF ISSUING OFFICIAL <u>[Signature]</u>
	28. TITLE OF ISSUING OFFICIAL <u>Deputy</u>	29. I CERTIFY THAT THE ABOVE NAMED PERSONS WERE MARRIED ON - MONTH, DAY, YEAR <u>July 6, 2002</u>
	30a. WHERE MARRIED - CITY, TOWN/LOCATION <u>444 NE Tina Ct. Hillsboro</u>	30b. COUNTY <u>WASHINGTON, OREGON</u>
	31a. SIGNATURE OF PERSON PERFORMING CEREMONY <u>[Signature]</u>	31b. NAME (Type/Title) <u>REV. Peggy Olson</u>
	31c. ADDRESS AND PHONE NUMBER OF PERSON PERFORMING CEREMONY <u>185 NE 33rd Ct. Hillsboro, OR 97124 503-648-3749</u>	31d. NAME ADDRESS OF OFFICIANT'S AUTHORIZING RELIGIOUS CONGREGATION/ORGANIZATION <u>PORTLAND CENTER for spiritual growth 4828 NE 33rd Ave. PORTLAND, OR 97211</u>
	32. WITNESS NAME <u>[Signature]</u>	33. WITNESS NAME <u>[Signature]</u>
LOCAL OFFICIAL	34. SIGNATURE OF COUNTY CLERK OR DIRECTOR <u>Jerry R. Hanson, Director Assessment &amp; Taxation</u>	35. DATE FILED BY LOCAL OFFICIAL (Month, Day, Year) <u>OR REF 158 PAGE 1232 JUL 09 2002</u>

APPLICANT - DO NOT WRITE BETWEEN THESE LINES - OFFICIAL USE ONLY



I, Richard W. Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, do hereby certify this to be a true and correct copy of the original.

Date: April 11, 2011  
By: [Signature]



**AFFIDAVIT OF CONSANGUINITY & AFFINITY**  
**(PURSUANT TO CH. 573 OF THE TEXAS GOVERNMENT CODE)**

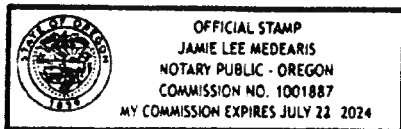
STATE OF Oregon                   §  
  §  
COUNTY OF Washington       §

BEFORE ME, the undersigned authority, on this day personally appeared Kari Ann Ostrom ("Affiant") who, being first duly sworn, upon oath states:

1. "My name is Kari Ann Ostrom, and I live at 19640 SW. Longacre Ct., Beaverton OR, 97003. I am over the age of 18 years and of sound mind and capable of making this Affidavit. I have personal knowledge of the facts stated in this Affidavit.
2. "I was born on January 15<sup>th</sup> 1967. My parents names are Patrick James Baumgardner and Barbara Ann Baumgardner now Barbara Ann Reavis. A true and correct copy of my birth certificate is attached hereto as Exhibit A and incorporated herein for all purposes.
3. "My spouse's name is Scott E. Ostrom. A true and correct copy of my marriage certificate is attached hereto as Exhibit B and incorporated herein for all purposes.
4. "Further, I say nothing."

*Kari A. Ostrom*  
Kari A Ostrom

SUBSCRIBED AND SWORN TO before me on the 3rd day of April, 2023 by Notary Name Jamie Lee Medearis



*Jamie Lee Medearis*  
Notary Public, State of Oregon

CERTIFIED COPY

OREGON STATE BOARD OF HEALTH  
VITAL STATISTICS SECTION



STANDARD CERTIFICATE OF LIVE BIRTH

LOCAL REGISTRAR'S  
NUMBER **376**

STATE OF OREGON  
BOARD OF HEALTH - PORTLAND  
PUBLIC HEALTH SERVICE

BIRTH NO. **136**

DATE RECEIVED

**JAN 25 1967**

1. CHILD'S NAME (Type or print all entries in black ink)  
First Middle Last  
**Kari Ann Baumgardner**

2. DATE OF BIRTH **11:26** P.M. **Jan. 15 1967** 3. SEX **Female** 4A. THIS BIRTH  Single  Twin  Triplet 4B. IF TWIN OR TRIPLET WAS CHILD BORN  1st  2nd  3rd

5. PLACE OF BIRTH  
A. COUNTY **Multnomah**  
B. CITY, TOWN (If outside corporate limits, so specify) OR LOCATION **Portland**  
C. HOSPITAL (If not in hospital or institution, give street address or location) OR INSTITUTION WHERE BORN **St. Vincent Hospital**

6. MOTHER'S USUAL RESIDENCE (Where does Mother live?)  
A. STATE **Oregon** B. COUNTY **Washington**  
C. CITY, TOWN (If outside corporate limits, so specify) OR LOCATION **Beaverton**  
D. STREET ADDRESS, RURAL ROUTE, ETC. **1326 S.W. Watson**

7. FATHER OF CHILD First Middle Last  
**Patrick James Baumgardner**

8. MOTHER OF CHILD (Maiden Name) First Middle Last  
**Barbara Ann Rasmussen**

9. COLOR OR RACE **White** E. PRESENT AGE **21**

10. COLOR OR RACE **White** G. PRESENT AGE **18** YRS.

D. BIRTHPLACE (State or Foreign Country) **Leavenworth, Kansas**

D. BIRTHPLACE (State or Foreign Country) **Portland, Oregon**

E. OCCUPATION **Mechanic** F. KIND OF BUSINESS OR INDUSTRY **Freightliner Corp.**

9. INFORMANT'S CERTIFICATION:  
I CERTIFY THAT THE ABOVE INFORMATION IS ENTIRELY CORRECT.  
*Barbara Ann Baumgardner*  
Mother  
Responsible to Child

10. ATTENDANT'S CERTIFICATION:  
I CERTIFY THIS CHILD WAS BORN ALIVE ON THE DATE AND TIME STATED ABOVE.  
*Paul E. Zuehlke*  
Signature  
TITLE:  MD  DO  OTHER, SPECIFY \_\_\_\_\_  
Address: **Portland Medical Center**  
Date Signed **January 16, 1967**

11. DATE RECEIVED BY LOCAL REGISTRAR **JAN 18 1967**

12. REGISTRAR'S SIGNATURE  
*Les L. Brady, Jr., D.*

13. THIS SPACE RESERVED FOR REGISTRAR'S USE

Item	Description	Evidence	Date	Signature

STATE OF OREGON  
County of Multnomah

DATE ISSUED

**FEB 2 1967**

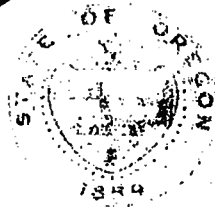
I hereby certify that the foregoing copy has been compared by me with the original document and is a true, full and correct copy of the original certificate as the same appears on file in the Vital Statistics Section of the Oregon State Board of Health and in my official care and custody.

*Miriam M. Weston*

By Direction of  
**RICHARD H. WILCOX, M.D.**  
State Health Officer

STATE REGISTRAR

# Marriage Certificate



No. 2008-451



his is to certify that the undersigned, a license minister by  
(title of person administering marriage)  
 authority of a license bearing date the 15<sup>th</sup> day of March, 2008  
 issued by the County of Washington, State of Oregon, did on this 22nd  
 day of March, A.D., 2008, at Hillsboro, Oregon  
(location)  
 join in lawful wedlock

[Signature] and [Signature]  
 Signature of Groom: [Signature] Signature of Bride: [Signature]  
 Name: JOHN E. OSTROM Name: CHRISTINA ANN KUMIGER  
 Address: 1811 W. N. 4th St. Hillsboro, Oregon 97122 Address: 1811 SW N 4th St. Hillsboro, Oregon 97122

with their mutual consent and in the presence of the witnesses undersigned below

Witnesses:

[Signature]  
 Name: [Name]  
 Address: [Address]

[Signature]  
 Name: [Name]  
 Address: [Address]

[Signature]  
 Signature of person officiating marriage  
[Signature]  
 Name: [Name]  
 Address: [Address]

[Signature]  
 Name of County Official Before Whom

This is a summary certificate. This certificate should not be used in place of a legal marriage record.



STATE OF OREGON—STATE BOARD OF HEALTH  
Vital Statistics Section

1655  
Local File Number

136  
Birth Number

CERTIFICATE OF LIVE BIRTH

or print in  
moment ink  
handbook for  
instructions

CHILD-NAME		First	Middle	Last	1. Kurtis Brady Baumgardner	
SEX	THIS BIRTH—single, twin, triplet, etc. (specify)	IF NOT SINGLE BIRTH—Born first, second, third, etc. (specify)		DATE OF BIRTH (month, day, year)	HOUR	
2. Male	3a. Single	3b.		4. Dec. 17, 1971	4b. 12:47 P.M.	
COUNTY OF BIRTH		CITY, TOWN, OR LOCATION OF BIRTH		HOSPITAL-NAME (if not in hospital, give street and number)		
5a. Washington		5b. Portland		5c. St. Vincent Hospital		
MOTHER-MAIDEN NAME			First	Middle	Last	STATE OF BIRTH (if not in U.S.A., name country)
6a. Barbara Ann Rasmussen			6b. 23	6c. Oregon		
RESIDENCE-STATE		COUNTY	CITY, TOWN, OR LOCATION		AGE (at time of this birth)	STREET AND NUMBER OR R.F.D. (ZIP)
7a. Oregon		7b. Washington	7c. Beaverton		7d. Yes	7e. 5900 S. W. Hall Blvd. 97005
FATHER-NAME			First	Middle	Last	STATE OF BIRTH (if not in U.S.A., name country)
8a. Patrick James Baumgardner			8b. 26		8c. Kansas	
INFORMANT-SIGNATURE				The information listed in items 1-8 is true and correct to the best of my knowledge.		RELATION TO CHILD
9a. Barbara A. Baumgardner						9b. Mother
I certify that the above named child was born alive at the place and time and on the date stated above.				DATE SIGNED (month, day, year)	ATTENDANT—M.D., D.O., or Other (specify)	
10a. SIGNATURE Paul E. Zuelke				10b. 12-19-71	10c. M.D.	
CERTIFIER-NAME (Type or print)				MAILING ADDRESS (Street, city or town, state, zip)		
10d. Paul E. Zuelke				10e. Portland Medical Center, Portland, Oregon, 97205		
REGISTRAR-SIGNATURE				DATE RECEIVED BY LOCAL REGISTRAR	DATE RECEIVED BY STATE REGISTRAR	
11a. Fay E. Kuzmick				11b. Dec. 21 1971	11c. DEC 28 1971	
ITEM CORRECTED: CORRECTED TO READ				DOCUMENTARY EVIDENCE:		REVIEWED BY:
12.						

CHILD

OTHER

FATHER

ATTENDANT  
IFICATION

OR STATE  
EGISTRAR  
ISE ONLY

STATE OF OREGON  
County of Multnomah

ss.

DATE ISSUED

Jan. 4, 1972

I hereby certify that the foregoing copy has been compared by me with the original document and is a true, full and correct copy of the original certificate as the same appears on file in the Vital Statistics Section of the Oregon State Health Division and in my official care and custody.



*Miriam M. Minton*

STATE REGISTRAR

**N3-23-003P**  
**Notification Confirmation**

**NOTICE OF APPLICATION FOR A COMBINATION DRILLING AND  
OPERATING PERMIT FROM CLEARWATER UNDERGROUND WATER  
CONSERVATION DISTRICT**

Ken Baumgardner has submitted an application to the Clearwater Underground Water Conservation District (CUWCD) on June 2, 2023, for a combination drilling and operating permit to authorize drilling and withdrawal from a proposed new well.

This permit, if approved, will authorize groundwater withdrawal from a new well (#N3-23-003P) to be completed in the Southwest Management Zone described in District Rule 7.1. The proposed well is to be completed in the Lower Trinity Aquifer (Hosston Layer), with a maximum 1.25-inch column pipe on a 7.271-acre tract located at 200 Buckeye Rd, Killeen, Texas, Latitude 30.90563°/Longitude -97.77624°, to produce groundwater for domestic use at a proposed annual quantity not to exceed 0.38 acre-feet or 123,823 gallons per year total at a maximum pumping rate not-to-exceed 10 gallons per minute.

This application will be set for hearing before the CUWCD Board upon notice posted at the Bell County Clerk's Office and at the CUWCD Office. If you would like to support, protest, or provide comments on this application, you must appear at the hearing and comply with District Rule 6.10. For additional information about this application or the permitting process, please contact the CUWCD at 700 Kennedy Court, Belton, Texas 76513, 254-933-0120. The applicant may be contacted at 1334 Irishmoss Trail, Round Rock, TX 78665, or by phone at 971-732-4945.



June 16, 2023

**NOTICE OF APPLICATION FOR DRILLING AND OPERATING PERMIT**

*Name*  
*Address*  
*City, TX Zip*

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RE: Application for a Combination Drilling/Operating Permit

To Whom It May Concern:

I, Ken Baumgardner, have submitted an application to the Clearwater Underground Water Conservation District (CUWCD) on June 2, 2023 for a combination drilling and operating permit on a new well (N3-23-003P) for 0.38 acre-feet or 123,823 gallons per year.

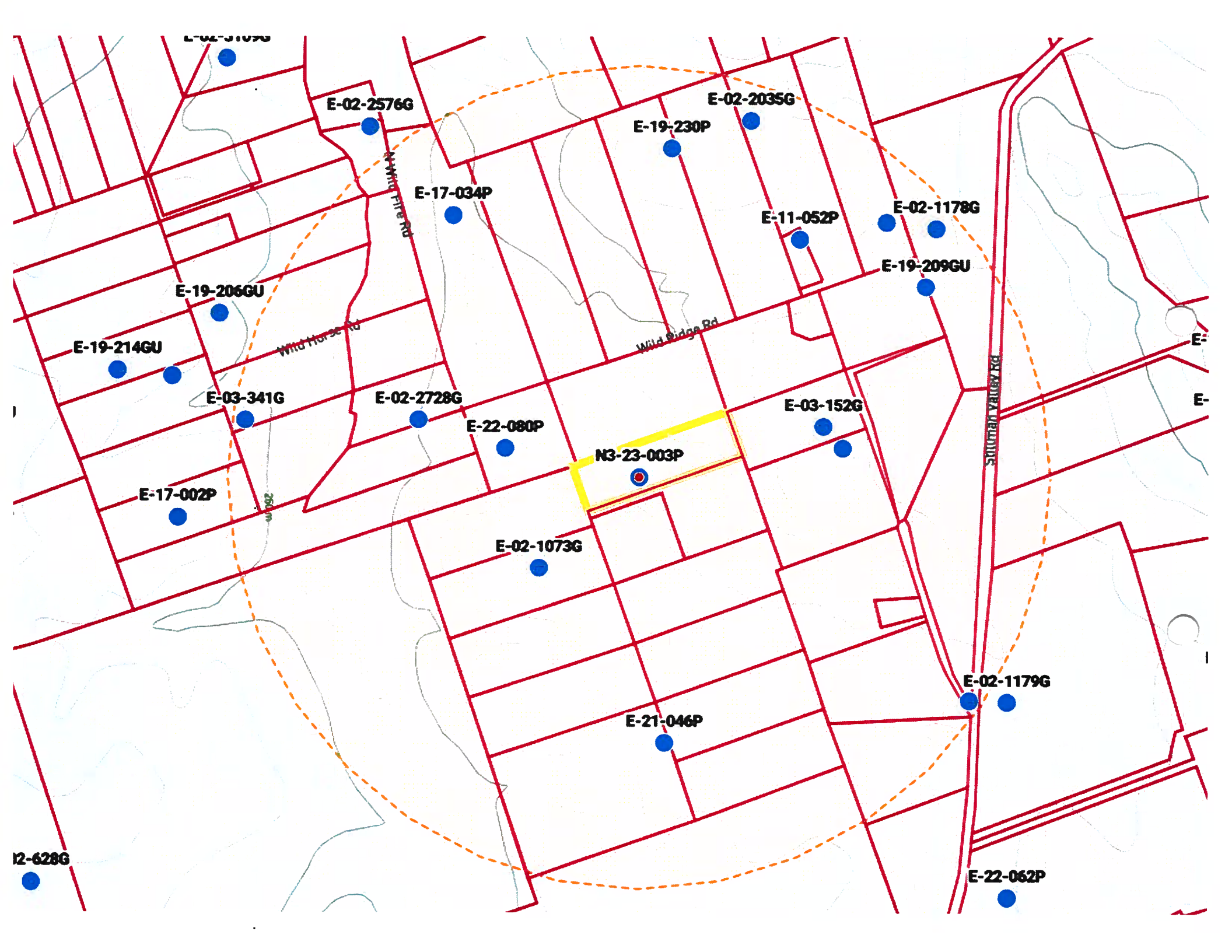
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Sincerely,

Ken Baumgardner





## N3-23-003P Contact List

### Wells 1/2 Mile

<u>Prop ID</u>	<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Well #</u>	<u>Status</u>	<u>Depth</u>	<u>Aquifer</u>	<u>Use</u>	<u>Distance</u>
504367	Demetrio Ponce & Ximena Ibarra	12609 Dessa Rd Lot 138	Austin	TX	78754	E-03-152G	Active	480	Upper Trinity	Domestic	1,194 ft
14792	Charles Buck, Jr.	487 Wild Mountain Rd	Florence	TX	76527	E-03-153G	Active	580	Upper Trinity	Domestic	1,280 ft
14789	Ronald & Susan Denison	431 Buckeye	Killeen	TX	76542	E-21-046P	Active	630	Middle Trinity	Domestic	1,685 ft
130791	Jose & Diana Torres	207 Buckeye	Killeen	TX	76542	E-02-1073G	Active	Unknown	Upper Trinity	Domestic	877 ft
35132	Travis & Tammy Mikeska	123 Wild Ridge Rd	Killeen	TX	76542	E-22-080P	Capped	600	Lower Trinity	Domestic	928 ft
132026	Chad & Samantha Ellis	219 Wild Fire Rd	Killeen	TX	76542	E-02-2728G	Active	500	Middle Trinity	Domestic	1,498 ft
70180	Sean & Tamera Watson	103 Wild Horse Rd	Killeen	TX	76542	E-03-341G	Active	500	Middle Trinity	Domestic	2,595 ft
125173	Leland & Deborah Stiles	144 Wild Ridge Rd	Killeen	TX	76542	E-17-034P	Active	590	Middle Trinity	Domestic	2,123 ft
32876	Lloyd & Christine Julius	428 Wild Ridge Rd	Killeen	TX	76542	E-19-230P	Active	580	Middle Trinity	Domestic	2,145 ft
49993	Katharina Hillis	560 Wild Ridge Rd	Killeen	TX	76542	E-02-2035G	Active	600	Middle Trinity	Domestic	2,415 ft
433924	Deborah Decker	554 Wild Ridge Rd	Killeen	TX	76542	E-11-052P	Active	710	Lower Trinity	Domestic	1,848 ft
108099	Ramona Batchelor	557 Wild Ridge Rd	Florence	TX	76527	E-19-210GU	Active	552	Middle Trinity	Domestic	2,272 ft
383117	Kimberly Hawkins	20300 Stillman Valley	Florence	TX	76527	E-02-1178G	Active	700	Lower Trinity	Domestic	2,481 ft
78532	John Neimann	2302 Zephyr Rd	Killeen	TX	76534	E-19-209GU	Active	600	Middle Trinity	Domestic	2,187 ft
502176	Toby Strawn	10501 Beinhorn Rd	Houston	TX	77024	M-13-001P	Capped	647	Middle Trinity	Monitor Well	2,512 ft

### Adjacent Property

123906	Susan Blakely	289 Wild Ridge Rd	Killeen	TX	76542
504367	Demetrio Ponce & Ximena Ibarra	12609 Dessa Rd Lot 138	Austin	TX	78754
14785	Barbara Reavis & Kurtis Baumgardner	1334 Irishmoss Trail	Round Rock	TX	78665
37217	Cecelia Foster	579 Reese Creek Rd	Killeen	TX	76549
35132	Travis & Tammy Mikeska	123 Wild Ridge Rd	Killeen	TX	76542

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 SATURDAY 9:00 AM - 1:00 PM

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**2 SHEETS** OF CHECKERS  
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 4 LINES FOR 2 DAYS  
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**30 DAYS** for **ALL** of the following:  
 Daily Herald, Cover Herald, KIDZ, MyKilleen.com, Herald

### Killeen Daily Herald CLASSIFIED DEPARTMENT (254) 501-7500

**CLASSIFIED ERRORS**  
 The Killeen Daily Herald will not be responsible for more than one (1) incorrect insertion of any Classified ad. Errors must be reported immediately to the Classified Department so that they can be corrected and proper credits be given. Please be sure you proof your ad prior to the first publication date. The Killeen Daily Herald does not assume responsibility beyond the cost of the ad.

**CLASSIFIED CANCELLATIONS**  
 All cancellations to any Classified ad must be made during normal business hours Monday - Friday 8:00am - 3:00pm. No cancellations can be made Saturday or Sunday.

**CLASSIFIED HOURS**  
 Monday - Friday 8:00 am - 5:00 pm  
 Closed - Saturday & Sunday

**DEADLINES**  
 5:00pm the day prior to publication date  
[www.kdhnews.com](http://www.kdhnews.com)

### Professional

**INSPIRE ACADEMIES**  
 PUBLIC CAREER DISTRICT  
 JHW Inspire Academy is hiring a  
**Secondary (6-12) Teacher**  
 in Killeen, Texas!  
 Competitive Pay, TRS eligible  
 Belong, Find Joy, Be Great  
 Apply online at [www.inspireacademies.com/careers](http://www.inspireacademies.com/careers)

### 11 Rentals

### 12 Apartments

**Weekly/Monthly Leasing**  
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**All Bills Paid**  
 201 E. Bryce, # 29  
 Killeen, (254) 220-7355.

### 13 Houses

Killeen 2 BR. \$325-\$550.  
 Hartland Realty, 634-0508

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 Flexible Rates  
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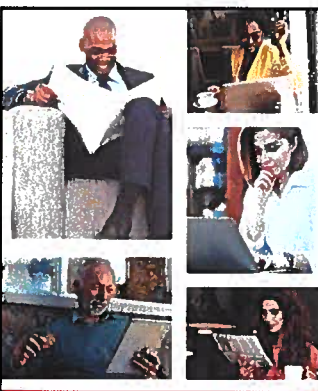
**14 Business Opportunities**  
 (254) 501-7500

### 15 TRUCK / DELIVERY

### Legal Notices

#### ADVERTISEMENT FOR BIDS

Notice is hereby given that the Killeen Independent School District Purchasing Services Dept. is now accepting bids on the Killeen ISD Electronic Bid System  
 Until 2:00 PM local time for the following:  
 June 27, 2023  
 Request for Proposals  
 Cellular Signal Boosters - Project #2  
 RFP# 23-24-06-271  
 Vendors must be registered with the Killeen ISD E-Bid System in order to obtain bid notification. Please register at the following link:  
<https://kidebid.lonwave.net/login.aspx>  
 FOR FURTHER INFORMATION, CONTACT THE KILLEEN I.S.D. PURCHASING SERVICES DEPT. AT 2801 ATKINSON AVE., KILLEEN, TX 76543 OR AT (254) 236-0983  
(Legal notice published in the Killeen Daily Herald on June 13th & 20th, 2023.)



## LOCAL COVERAGE at YOUR FINGERTIPS

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### 12 Notices

#### Legal Notices

**NOTICE OF APPLICATION FOR A COMBINATION DRILLING AND OPERATING PERMIT TO CLEAR/WATER UNDERGROUND WATER CONSERVATION DISTRICT**  
 Ken Baumgardner has submitted an application to the Clearwater Underground Water Conservation District (CUWCD) on June 2, 2023, for a combination drilling and operating permit to authorize drilling and withdrawal from a proposed new well.  
 This permit, if approved, will authorize groundwater withdrawal from a new well (#N3-23-003P) to be completed in the Southwest Management Zone described in District Rule 7.1. The proposed well is to be completed in the Lower Trinity Aquifer (Houston Layer), with a maximum 1.25-inch column pipe on a 7.271-acre tract located at 200 Buckeye Rd, Killeen, Texas. Latitude 30.90583°/Longitude -97.77624°. To produce groundwater for domestic use at a proposed annual quantity not to exceed 0.38 acre-feet or 123,823 gallons per year total at a maximum pumping rate not-to-exceed 10 gallons per minute.  
 This application will be set for hearing before the CUWCD Board upon notice posted at the Bell County Clerk's Office and at the CUWCD Office, if you would like to support, protest, or provide comments on this application, you must appear at the hearing and comply with District Rule 6.10. For additional information about this application or the permitting process, please contact the CUWCD at 700 Kennedy Court, Belton, Texas 76513, 254-933-0120. The applicant may be contacted at 1334 Irishmoss Trail, Round Rock, TX 78665, or by phone at 971-732-4945.  
(Legal notice published in the Killeen Daily Herald on June 20, 2023.)

### 17 Employment

**YESTER'S CONSTRUCTION COMPANY**  
 is now hiring for active positions:  
**General**  
 Looking for multi-talented REMODELERS & PAINTERS for Indoor work. Heated homes during Winter and A/C homes during the Summer. Must be dependable, hard working w/reliable transportation for long-term project. Must have proper hand tools for each job. Fort Hood JOB!!! Must have valid ID to get on base. Email resume to [tdyestercon@aol.com](mailto:tdyestercon@aol.com) or call: (254) 681-0612

### 17 Employment

**TRUCK / DELIVERY**  
 Now Hiring Dump Truck Drivers. Home every night. Equip, exp. a plus. (512) 556-1659

### 17 Employment

**General Merchandise**  
 BURIAL LOT at the Killeen Memorial Cemetery on Lake Road. \$3700. (254) 693-1179.

### 17 Employment

**19 Pets**

**REG. YORKIE PUPS**  
 3/4, 4/4th guar. Reduced \$, 254-722-2565, Lic# 148

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**YESTER'S CONSTRUCTION COMPANY**  
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 Looking for multi-talented REMODELERS & PAINTERS for Indoor work. Heated homes during Winter and A/C homes during the Summer. Must be dependable, hard working w/reliable transportation for long-term project. Must have proper hand tools for each job. Fort Hood JOB!!! Must have valid ID to get on base. Email resume to [tdyestercon@aol.com](mailto:tdyestercon@aol.com) or call: (254) 681-0612

### 17 Employment

**TRUCK / DELIVERY**  
 Now Hiring Dump Truck Drivers. Home every night. Equip, exp. a plus. (512) 556-1659

### 18 Merchandise

#### General Merchandise

**BURIAL LOT**  
 at the Killeen Memorial Cemetery on Lake Road. \$3700. (254) 693-1179.

### 19 Pets

#### Dogs

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\$	\$8.13
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\$	\$

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\$	\$8.13
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage	\$0.63
\$	\$8.13
Total Postage and Fees	\$8.13
\$	\$

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage	\$0.63
\$	\$8.13
Total Postage and Fees	\$8.13
\$	\$

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<input type="checkbox"/> Return Receipt (hardcopy)	\$3.35
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

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Postage	\$0.63
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<b>Extra Services &amp; Fees (check box, add fee as appropriate)</b>	
<input type="checkbox"/> Return Receipt (hardcopy)	\$3.35
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

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Sent To Travis & Tammy Mikeska  
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