



**Wet Rock Groundwater Services, L.L.C.**

*Groundwater Specialists*

TBPG Firm No: 50038

317 Ranch Road 620 South, Suite 303

Austin, Texas 78734 • Ph: 512-773-3226

[www.wetrockgs.com](http://www.wetrockgs.com)

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September 27, 2023

Mr. Lane Cockrell  
SWTCGCD  
P.O. Box 340595  
Austin, Texas 78734

**RE: Administrative Completeness Review of Production Authorization Applications submitted by JPD Backyard Finance LLC for authorization to produce groundwater from two Lower Trinity Aquifer wells**

Dear Mr. Cockrell:

This letter addresses the items listed in your administrative completeness review provided in Attachment A.

1. The completed Irrigation Demand Worksheet is attached as Attachment B.
2. Please find the list of all principal owners and their contact information:

**Ownership Entity:** JPD Backyard Finance, LLC

**Principal & Sole Owner:** John Paul DeJoria

**Owner's Representative:** Kyle McDaniel

- Email: [kyle@backyardaustin.com](mailto:kyle@backyardaustin.com)

- Cell: 512-965-7761

3. All testing data will be sent via email in digital format.
4. The aquifer testing of Well No. 1 and Well No. 2 were conducted in accordance with the approved aquifer test work plan as submitted in the Drilling Application and approval by SWTCGCD (Attachment C) for both wells. The aquifer testing began with Well No. 1 being pumped while Well No. 2 served as the observation well and then once recovery occurred, the testing of Well No. 2 began with Well No. 2 serving as the pumping well and Well No. 1 as the observation well.

Water levels were taken for approximately 15 minutes prior to the start of the first aquifer test (Well No. 1). The approved aquifer test work plan did not provide a minimum amount of time that water levels were required to be taken prior to the start of the test. Those data indicated that water levels were stable with very minor oscillations of hundredths of feet.

5. There was a significant difference in the static water level of Well No. 1 of approximately 50 ft. According to the State Well Reports, both wells were constructed in a similar manner with similar screen depths and packer depths. The wells were constructed using mud rotary techniques.

Possible explanations for the difference in static water level can be attributed to:

- Further development required at Well No. 1. Although during aquifer testing the discharge water was clear with no turbidity nor mud observed.
- Poor contact or slippage in the packer at Well No. 1; thereby allowing water from a formation above to impact the water level. There is no way for us to determine whether the packer was set properly. The driller did not indicate having any issues with setting the downhole materials during construction.
- An error in the reading of the static water level. Static water levels were taken via an electric water level meter to confirm the transducer readings, so we believe that the water level measurements are accurate.

The drawdown while pumping Well No. 1 (206.4 ft) was higher than pumping at Well No. 2 (64.9 ft). With Well No. 2 having a higher specific capacity and transmissivity value than Well No. 1. Storativity values calculated using the Theis and Cooper-Jacob methods resulted in similar average storativity values for both wells ( $2.49 \times 10^{-5}$  for Well No. 2 and  $5.5 \times 10^{-5}$  for Well No. 1). The difference in pumping response, drawdown, aquifer parameters and recovery time can be attributed to:

- Natural variability in aquifer parameters over short distances in the Lower Trinity Aquifer. The Lower Trinity Aquifer is heterogenous being composed of limestone and sand(stone). It is not unusual to have vastly different responses to production over short distances. We have experienced this in the aquifer in other wells completed in Travis and Hays counties.
- Lack of well development within Well No. 1. As stated above, the difference in water level could have occurred due to a lack of well development in Well No. 1 causing certain portions of the screened interval to be blocked off. This could be a possible reason that the response to pumping was different in both wells.

The water quality of Well No. 1 and No. 2 also indicates a higher Total Dissolved Solids (TDS) concentration at Well No. 1 (1,945 mg/L) versus Well No. 2 (854 mg/L). The pH, fluoride, calcium, sulfate, hardness and magnesium were also higher in Well No. 1. We would attribute the differences in water quality to:

- Natural variability in the Lower Trinity Aquifer. The Lower Trinity Aquifer is heterogenous being composed of limestone and sand(stone). It is not unusual to have different water quality over short distances.
- Lack of well development within Well No. 1. The difference in water quality could have occurred due to a lack of well development in Well No. 1 causing certain portions of the screened interval to be blocked off.
- Poor contact or slippage in the packer at Well No. 1; thereby allowing water from a formation above to impact the water quality. There is no way for us to determine whether the packer was set properly.

6. The discrepancy in the estimated drawdown after 1 week, 1 year and 7 years as shown in the executive summary of the hydrogeological report and the conclusions was due to a typo in the executive summary. We apologize for the typo. The correct values are stated in the conclusion



(pg. 36 of the Hydrogeological Report – Section VI: Conclusions) which state “Based on the results of the modeling, the Backyard Wells No. 1 and 2 continuously pumping at a rate of 7.04 gpm for 1 week, 1 year, and 7 years results in an estimated **19.28 feet, 23.44 feet, and 25.48 feet,** respectively”

7. Please find attached in Attachment D, the digital copies of the mailed notice that was sent to public water suppliers and persons who own property within ¼ mile of the proposed wells.

If you have any questions, please feel free to call me at 512-773-3226.

Respectfully,

Wet Rock Groundwater Services, L.L.C.



Kaveh Khorzad, P.G.  
President/ Senior Hydrogeologist

The seal appearing on this document was authorized on September 27, 2023 by:



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Kaveh Khorzad, P.G.  
License No. 1126

Wet Rock Groundwater Services, LLC  
TBPG Firm Registration No. 50038



Attachment A:

Administrative Completeness Review Letter from SWTCGCD



September 20, 2023

Wet Rock Groundwater Services, LLC  
317 RR 620 S., Suite 303  
Lakeway, TX 78746  
*via email: k.khorzad@wetrocksgs.com*

RE: Administrative Completeness Review of Production Authorization Applications submitted by JPD Backyard Finance LLC for authorization to produce groundwater from two Lower Trinity Aquifer wells

Dear Mr. Kaveh Khorzad:

This letter is to inform you that as of September 20, 2023, the above referenced applications are administratively incomplete. Based on review of submitted application materials, the District has determined that the following items have not been satisfied:

- **3.4(A)(3) – The applicant must provide sufficient documentation to the District to show that the applicant will have a real, non-speculative need of the requested quantity of groundwater within one year following the date of issuance of the Operating Permit.**

**3.4(A)(5)(b) – The annual groundwater withdrawal amount requested along with documentation justifying that amount as reasonable for the requested purpose of use, the maximum rate of withdrawal, the approximate, average monthly distribution of the requested annual withdrawal amount, the place of use (described by physical address, metes and bounds, or legal description), the purpose of use, and the location or proposed location of the well or wells (described by physical address or latitude and longitude). The application must state if the proposed purpose of use of water from the well is wholly or partly to provide water to a pond, lake, or reservoir to enhance the appearance of the landscape.**

The applicant has not provided sufficient documentation demonstrating a real, non-speculative need for the requested groundwater volume, nor is there sufficient documentation justifying that volume as reasonable for the requested purpose of use. It is the District's policy to limit permitted groundwater production to an annual volume commensurate with reasonable non-speculative demand for the proposed use(s). As such, the permit volume must be quantitatively consistent with the specific purpose of the proposed use(s), allowing for temporal variations and buffers but excluding speculative demand relative to the term of the permit.

To satisfy the application requirement for demonstrating reasonable non-speculative demand, the applicant must first complete highlighted portions of the enclosed Irrigation Demand Worksheet ("Enclosure 1"). Information provided for "Irrigated Areas" and "Water Features/Ponds/Pool" should reflect proposed landscaping and ponds that will be

irrigated or maintained wholly or partly using groundwater produced from Wells No. 1 and 2. Information from this worksheet will be used by the District to determine a reasonable irrigation demand estimate for the proposed uses described in the applications. The District utilizes an irrigation demand calculator and methodology developed by the Barton Springs/Edwards Aquifer Conservation District to determine reasonable irrigation demand estimates. If the District finds the volume requested is inconsistent with the reasonable irrigation demand estimate, the applicant must revise the volume requested accordingly or provide additional details and documentation relating to projected demand for the proposed use(s) and documentation justifying that amount as reasonable.

- **3.4(A)(5)(j) – For corporations, partnerships, or other business forms, a list of all principal owners and their contact information.**

To satisfy this requirement, the applicant must submit a list of all principal owners and their contact information.

- **3.4(A)(5)(m) – A hydrogeological testing report that conforms to the appropriate tier of testing under the District’s Guidelines for Aquifer Testing and Hydrogeological Reports (see Rule 3.4(A)(4)) and is acceptable to the District. Other state and local jurisdictions may have other specific requirements, some of which may be more prescriptive or stringent for certain wells in certain locations. Applicants must comply with these additional state and local requirements separately from complying with District Rules.**

To satisfy this requirement, the applicant must address the following:

- Provide all testing data in digital format (CSV or excel spreadsheet), including all pre-test water-level measurements
- Discuss pre-test measurements and trends
- Discuss significant differences observed in Wells No. 1 and 2 during testing, including:
  - static water level,
  - pumping response, drawdown and recovery time,
  - estimated aquifer parameters,
  - water quality, and
  - possible causes of the differences described above and how these factors may influence analysis of potential impacts.
- Address discrepancies in the statements below relating to estimated drawdown, and describe where the drawdown estimates are expected to occur (e.g., distance from pumping wells):
  - “As required by the SWTCGCD, the effects of current and projected pumpage on water levels on surrounding wells for a one week, one year, and seven year period was estimated using the Theis equation. Based on the results of the modeling, the Backyard Wells No. 1 and 2 continuously pumping at a rate of 7.04 gpm for 1 week, 1 year, and 7 years results in an estimated **26.12 feet, 30.98 feet, and 33.37 feet**, respectively.” (pg. 5 of Hydrogeologic Report – Executive Summary)
  - “As required by the SWTCGCD, the effects of current and projected pumpage on water levels on surrounding wells for a one week, one year,

and seven year period was estimated using the Theis equation. Based on the results of the modeling, the Backyard Wells No. 1 and 2 continuously pumping at a rate of 7.04 gpm for 1 week, 1 year, and 7 years results in an estimated **19.28 feet, 23.44 feet, and 25.48 feet**, respectively” (pg. 36 of Hydrogeologic Report – Section VI: Conclusions)

- **3.4(B) – No application for a non-exempt well requesting an annual pumpage volume of more than 1,000,000 gallons will be administratively complete until the applicant has provided proof to the District that notice of the application has been mailed to all persons who own property located within a ¼-mile radius of the proposed well site by certified mail, return receipt requested. The District will provide the type of information that must be contained in the notice that the applicant must mail to adjoining property owners.**

The applicant submitted a mailing list showing all public water suppliers and persons who own property within 1/4 mile of the proposed wells, as well as purchase receipts for mailing each notice of application. To satisfy this requirement, the applicant must also submit copies of each mailed notice to confirm that the required information was included in each notice (digital copies preferred).

Please provide the above requested information within 180 days of the date of this letter. Once all information has been received and the requirements described above have been satisfied, the application will be deemed administratively complete and a letter indicating such will be provided with further instructions. If you have any questions or need clarification regarding the requested information, please feel free to contact my office by phone at 512-276-2875 or by e-mail at [generalmanager@swtcgcd.org](mailto:generalmanager@swtcgcd.org).

Sincerely,



Lane Cockrell  
SWTCGCD General Manager/Hydrogeologist

Enclosures: Enclosure 1 – Irrigation Demand Worksheet

cc: Ben Carter, Hoar Construction, [bcarter@hoar.com](mailto:bcarter@hoar.com)  
Nick Castillo, Wet Rock Groundwater Services LLC, [n.castillo@wetrockgs.com](mailto:n.castillo@wetrockgs.com)  
Kris Ingram, Hoar Construction, [kaingram@hoar.com](mailto:kaingram@hoar.com)  
Kyle McDaniel, JPD Backyard Finance LLC, [kyle@backyardaustin.com](mailto:kyle@backyardaustin.com)  
Cody Myers, Nextgen Water Well Service, [cody@nextgenwaterwell.com](mailto:cody@nextgenwaterwell.com)  
Stephen Phelps, Hoar Construction, [sphelps@hoar.com](mailto:sphelps@hoar.com)  
Riley Schlottman, Wet Rock Groundwater Services LLC, [r.schlottman@wetrockgs.com](mailto:r.schlottman@wetrockgs.com)  
Virginia Smith, SWTCGCD, [staff@swtcgcd.org](mailto:staff@swtcgcd.org)  
Christi VanRite, JPD Backyard Finance LLC, [christi@backyardaustin.com](mailto:christi@backyardaustin.com)  
Samuel Watson, Wet Rocks Groundwater Services LLC, [s.watson@wetrockgs.com](mailto:s.watson@wetrockgs.com)  
Andrew Worsley, Wet Rocks Groundwater Services LLC, [a.worsley@wetrockgs.com](mailto:a.worsley@wetrockgs.com)

**Enclosure 1:**  
Irrigation Demand Worksheet: Commercial/Large Scale Irrigation



## Irrigation Demand Worksheet: Commercial/Large Scale Irrigation

This worksheet should be completed to provide the necessary information required in an operating permit application for irrigation use. A key component of the permit application is the written descriptive statement and irrigation demand estimates. It is the District's policy to limit permitted groundwater production to an annual volume commensurate with reasonable non-speculative demand for the proposed use(s). As such, the permitted volume must be quantitatively consistent with the specific purpose of the proposed use(s), allowing for temporal variations and buffers but excluding speculative demand relative to the term of the permit. The District utilizes an irrigation demand calculator and methodology developed by the Barton Springs/Edwards Aquifer Conservation District to determine reasonable irrigation demand estimates. To develop an estimate of the irrigation demand volume for your permit application, you must submit the information below.

**You must submit a plat map, land survey, landscape design plan, or property diagram\* that depicts and labels ALL of the following:**

- Total acreage/square footage of entire property plot
- Dimensions of Impervious areas (paved areas, parking lots, building structures)
- Dimensions of Irrigated areas (turf areas, plant bed areas, vegetable gardens)
- Water features/Ponds/Pools

*\* Property diagrams can be hand drawn or computer drawn by either the applicant or a landscape consultant.*

**You must complete of the following informational components:**

**Total Property Plot Area:**

\_\_\_\_\_ sq ft or \_\_\_\_\_ acres of entire property plot

**Impervious Areas:**

\_\_\_\_\_ sq ft or \_\_\_\_\_ acres of estimated total impervious area (paved areas, parking lots, building structures)

**Irrigated Areas:**

\_\_\_\_\_ sq ft Total area of turf

\_\_\_\_\_ sq ft Total cumulative area of all landscape planting beds (*to include annuals, groundcovers, perennials, shrubs, native plantings, xeriscaping*)

\_\_\_\_\_ sq ft Total area of vegetable gardens

**Water Features/Ponds/Pools:**

\_\_\_\_\_ sq ft & \_\_\_\_\_ gallons for fountains, ponds, water features

**Significant Isolated Trees:**

- If you have trees that stand inside an irrigated turf grass area, or inside a landscape bed area then the District will not consider additional allocations for those trees.
- If you have significant isolated trees that stand outside of any turf grass area, or outside of a landscape bed then the District may consider allocations for those significant trees. District staff will have to conduct a site visit to evaluate the size and type of trees as well as the current irrigation practices for those significant trees.

Attachment B:

Irrigation Demand Worksheet

## Irrigation Demand Worksheet: Commercial/Large Scale Irrigation

This worksheet should be completed to provide the necessary information required in an operating permit application for irrigation use. A key component of the permit application is the written descriptive statement and irrigation demand estimates. It is the District's policy to limit permitted groundwater production to an annual volume commensurate with reasonable non-speculative demand for the proposed use(s). As such, the permitted volume must be quantitatively consistent with the specific purpose of the proposed use(s), allowing for temporal variations and buffers but excluding speculative demand relative to the term of the permit. The District utilizes an irrigation demand calculator and methodology developed by the Barton Springs/Edwards Aquifer Conservation District to determine reasonable irrigation demand estimates. To develop an estimate of the irrigation demand volume for your permit application, you must submit the information below.

**You must submit a plat map, land survey, landscape design plan, or property diagram\* that depicts and labels ALL of the following:**

- Total acreage/square footage of entire property plot
- Dimensions of Impervious areas (paved areas, parking lots, building structures)
- Dimensions of Irrigated areas (turf areas, plant bed areas, vegetable gardens)
- Water features/Ponds/Pools

*\* Property diagrams can be hand drawn or computer drawn by either the applicant or a landscape consultant.*

**You must complete of the following informational components:**

**Total Property Plot Area:**

787,215 sq ft or \_\_\_\_\_ acres of entire property plot

**Impervious Areas:**

114,720 sq ft or \_\_\_\_\_ acres of estimated total impervious area (paved areas, parking lots, building structures)

**Irrigated Areas:**

0 sq ft Total area of turf  
381,383 sq ft Total cumulative area of all landscape planting beds (*to include annuals, groundcovers, perennials, shrubs, native plantings, xeriscaping*)  
0 sq ft Total area of vegetable gardens

**Water Features/Ponds/Pools:**

35,705 sq ft & \_\_\_\_\_ gallons for fountains, ponds, water features

**Significant Isolated Trees:**

- If you have trees that stand inside an irrigated turf grass area, or inside a landscape bed area then the District will not consider additional allocations for those trees.
- If you have significant isolated trees that stand outside of any turf grass area, or outside of a landscape bed then the District may consider allocations for those significant trees. District staff will have to conduct a site visit to evaluate the size and type of trees as well as the current irrigation practices for those significant trees.

Attachment C:

Administrative completeness letter from SWTCGCD and Drilling  
Authorization



October 27, 2022

Kyle McDaniel, JPD Backyard Finance, LLC  
1401 Lavaca Street PMB 10869  
Austin, TX 78701  
512-965-7761 | [kyle@backyardaustin.com](mailto:kyle@backyardaustin.com)

RE: SWTCGCD Drilling Authorizations for Well ID 58415JB1 and 58415JB2

Dear Mr. McDaniel:

The Southwestern Travis County Groundwater Conservation District (District) has reviewed the Well Drilling/Modification Authorization Applications for two new wells to be located at 13801 Bee Cave Pkwy, Bee Cave, TX 78738, under the ownership of JPD Backyard Finance, LLC. The applications have also been used to register these wells with the District. We also confirm that two application fees of \$500 and two well construction fees of \$1,000 have been received by the District.

The District now considers the applications to be Administratively Complete under District Rules—Rule 3.3, Rule 3.4, and Rule 3.5. Therefore, the District has determined that drilling of the wells described in the applications may commence at the location referenced above. This authorization expires six (6) months from the date of this notice.

Please note that the District requires 24-hour notice before actual drilling commences. The District prefers that you contact the District by email, at [staff@swtcgcd.org](mailto:staff@swtcgcd.org), to create a timestamp of the notification. If you leave a message at the District office, please note the phone call's exact time. Since the District strictly enforces the 24-hour notification rule, we recommend ensuring you make your intentions known as soon as possible.

Copies of the State of Texas Well Reports must be submitted to the District within sixty (60) days after completion of the wells, per District Rule 4.1(B). Although the reports will ordinarily be submitted by the well driller or pump installer, it is the responsibility of the well owner to ensure compliance with this Rule.

Please note that you must also obtain a Production Authorization (Operating Permit) prior to producing water from these wells, other than for testing purposes.

Thanks to all involved for working with the District to complete these applications. Please let us know if you have any questions or require further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Lane Cockrell".

Lane Cockrell  
SWTCGCD General Manager/Hydrogeologist

**The Backyard Irrigation**  
**Wells No. 1 and 2:**  
**Drilling Authorization Application**

*for*

JPD Backyard Finance, LLC  
1401 Lavaca Street PMB 40869  
Austin, Texas 78701

Travis County, Texas  
July 2022

WRGS Project No. 197-001-22



**Wet Rock Groundwater Services, L.L.C.**  
*Groundwater Specialists*  
317 Ranch Road 620 South, Suite 303  
Austin, Texas 78734  
Phone: 512-773-3226 • [www.wetrockgs.com](http://www.wetrockgs.com)  
TBPG Firm No: 50038

## *Table of Contents*

1. Application Form
2. Foreclosure Sale Deed
3. Plat and Property Survey
4. Written Descriptive Statement
5. Site Map
6. Well Construction Design Schematic
7. Well Development Plan
8. Planned Aquifer Testing and Hydrogeological Report



# *1 – Application Form*







# Application for Well Drilling/Modification Authorization

P.O. Box 340595, Austin, Tx 78734 · Tel. 512-276-2875 · www.swtcgcd.org

Complete this application to register and authorize drilling a new well; or to modify an existing registered well; or to seal, cap, or plug an existing well. District Rule 3.2(C) governs whether an alteration is a Major or Minor Modification. If you are only repairing or replacing equipment on a previously registered well, and do not alter its previous state, the source aquifer, or significantly increase capacity, then no application is needed; simply notify the District by email. Otherwise, submittal of this application form, its supporting documentation, and applicable fees per the District Fee Schedule, followed by the subsequent authorization by the District are required before initiating any work at the well. You may mail the completed form and other materials to the address above, or scan the form and supplemental materials and email them to [staff@swtcgcd.org](mailto:staff@swtcgcd.org).

## Purpose of Application and Its Associated *WDA Application Fee\** (check one):

- Minor Modification of Existing Exempt Well - \$0     Minor Modification of Existing Non-exempt Well - \$100  
 Major Modification of Existing Well - \$500     Drill New Well - \$500     Seal, Cap, or Plug Existing Well - \$100

\*A Well Construction Fee is due with this application for anticipated well capacities considered Non-Exempt under District Rules

## Section I. Contact Information

<b>Well Owner /Applicant:</b> <u>JPD Backyard Finance, LLC (Kyle McDaniel)</u> Email: <u>kyle@backyardaustin.com</u> Mailing Address: <u>1401 Lavaca Street PMB 10869</u> City: <u>Austin</u> Zip: <u>78701</u> County: <u>Travis</u> Primary Phone: <u>512-965-7761</u> Secondary Phone: _____ Please check the box that appropriately describes the applicant: <input checked="" type="checkbox"/> Landowner/Grantor <input type="checkbox"/> Lessee/Grantee Property lot/tract size: <u>17.573</u> acres  <input type="checkbox"/> Check this box if the physical address is the same as the mailing address. Physical Well Address: _____ City: _____ Zip: _____ County: Travis	
<b>Technical Consultant</b> This is the person who may be employed by the applicant to complete this application on the applicant's behalf.  Consultant Name: <u>Wet Rock Groundwater Services, LLC</u> Mailing Address: <u>317 RR 620 S., Suite 303</u> City: <u>Lakeway</u> , Texas Zip: <u>78734</u> Primary Phone: <u>512-773-3226</u> Secondary Phone: _____ Email: <u>k.khorzad@wetrockgs.com</u>	<b>Alternate Point of Contact (Well Site Access)</b> Contact Name: <u>Christi Van Rite</u> Mailing Address: <u>1401 Lavaca Street PMB 40869</u> City: <u>Austin</u> , Texas Zip: <u>78701</u> Primary Phone: <u>512-809-0898</u> Secondary Phone: _____ Email: <u>christi@backyardaustin.com</u>

## Section II. Supporting Ownership Documentation (not required for Minor Modification of wells used solely for Domestic Use)

1. Provide a complete copy of the recorded deed, showing current ownership, legal description, and a date recorded. If the applicant is a lessee/grantee then provide a copy of the recorded easement, lease, or memorandum of lease.
2. Provide a copy of the property survey as recorded with the County. If a subdivision plat is applicable, please also provide a recorded copy of the subdivision plat.
3. Provide a map of the property or site plan showing the location of the existing or proposed well, the locations of the nearest property lines, the nearest septic tank, the nearest septic absorption field or septic spray area, and any potential sources of contamination within 150 feet.

# Well No. 1

## Section III. Water Use Types

Select ALL the use types that will be supplied by the requested groundwater production from well(s).

- Irrigation:
  - Agricultural Irrigation
  - Residential Irrigation (outdoor use only)
  - Golf Course Irrigation
  - Sports & Athletic Field Irrigation
  - Nursery/Greenhouse Irrigation
  - Other Irrigation \_\_\_\_\_
- Public Water Supply (Wholesale, Retail, Municipal, WSC, IOU)
- Domestic Use (residential indoor/outdoor use)
- Industrial:
  - Operational Processes/Facilities
  - Facility Landscape
- Commercial:
  - Operational Processes/Facilities
  - Facility Landscape
- Aquifer Storage and Recovery
- Livestock
- Other \_\_\_\_\_

## Section IV. Well Information

1. Indicate the total number of existing wells on the entire property: in use 0 not in use \_\_\_\_.
2. Will this well be placed in aggregate with an existing permitted well(s)?  Yes  No.
3. Will the groundwater withdrawn from this well be used in a location different from the well tract?  Yes or  No
4. Is this a replacement well?  Yes  No If yes, what will the status of the old well be?  in use  capped  plugged
5. Aquifer:  Upper Trinity  Middle Trinity  Lower Trinity  Other (specify) \_\_\_\_\_
6. Well Coordinates (<https://www.maps.ie/coordinates.html>) Latitude: 30° 18' 41.33" N Longitude: 97° 57' 12.82" W
7. Is well currently and/or intended to be authorized under permit (if yes, specify permit) will apply for Operating Permit
8. The following information must be provided as applicable and in full, adding additional narrative for any necessary explanatory statements.

### For existing well to be sealed, capped, or plugged, or to be modified for continued use:

Date well was drilled: \_\_\_\_\_ Well Driller: \_\_\_\_\_ Existing Well Capacity (GPM): \_\_\_\_\_  
Existing Pump Size (horsepower): \_\_\_\_\_ Existing Pump Depth: \_\_\_\_\_ Wellhead Elevation: \_\_\_\_\_  
Current Total Well Depth: \_\_\_\_\_  
Existing Casing Sizes and Depths: \_\_\_\_\_ Anticipated Well Capacity (GPM): \_\_\_\_\_  
Anticipated Pump Size (HP): \_\_\_\_\_ Anticipated Pump Depth: \_\_\_\_\_ Anticipated Total Well Depth: \_\_\_\_\_

### For new well to be drilled:

Anticipated Wellhead Elevation: 959' Anticipated Well Capacity (GPM): 35 Anticipated Pump Size (HP): 10  
Anticipated Pump Depth: 859' Anticipated Total Well Depth: 920'  
Anticipated Casing Sizes and Depths: \_\_\_\_\_ Anticipated Minimum Borehole Diameter: 9 7/8"  
6" SDR 17 PVC Casing (+2'-720'); 6" SDR 17 PVC (720'-920')

## Section V. Declarations

Initial to indicate that the applicant has read and understands the following declarations.

- \_\_\_ The applicant agrees that water produced/withdrawn from the well in reference will be put to beneficial use at all times.
- \_\_\_ The applicant understands that failure to submit all required application items, including applicable fees, within the application review period will result in an administratively incomplete application and non-issuance of a permit.
- \_\_\_ The applicant will comply with the District Rules, all orders, and Production Authorizations promulgated pursuant to the District Rules.
- \_\_\_ The applicant will comply with well plugging and capping guidelines set forth in these Rules and will report well closures as required in Rule 4.4.
- \_\_\_ Many of the incorporated cities within Travis County have ordinances concerning the drilling of wells within their city limits, and Travis County also has groundwater supply-related regulations. It is your responsibility to comply with County regulations and your city ordinances regarding the use of groundwater and drilling of wells. The permits issued by the District do not confer any right to violate any county regulations or city ordinances regarding groundwater.
- \_\_\_ The applicant understands that this permit confers no vested rights in the holder and the permit is non-transferable. **Written notice with details of transaction parties must be given to the District by the permittee prior to any sale or lease of the well covered by this Authorization.**
- \_\_\_ This authorization is not a permit to produce groundwater from the well; a Production Authorization is required for that purpose.



**SUPPLEMENTAL APPLICATION INFORMATION**

Unless specified otherwise, the following items must be completed and submitted before your WDA Application can be considered administratively complete.

**Item 1. Written Descriptive Statement**

The applicant must provide a written detailed statement that addresses all of the following components in one “type-written” statement in a Word document format. The submitted Word document should be signed and dated.

- a) Nature, Purpose & Location
  - Describe the nature and purpose of the various proposed uses including proposed uses by persons other than the well owner.
  - Describe the well location and the proposed receiving area(s) for groundwater produced from the well, including the characteristics and use of any surface impoundments.
  - Describe Proposed Transfers or Transports – Location and purpose of any water to be resold, leased, exported, transferred or transported.
- b) Pumpage Volume
  - State the anticipated pumpage volume and pumping rate at which water is proposed to be withdrawn from each well. Apportion the volume by calendar month (approximations/estimates are okay.)

**Item 2. Well Construction Design, Specifications, and/or Schematic**

This requirement is not applicable to wells that will be used solely for domestic use. For all other use types, the applicant must submit a schematic of the proposed well design and specify *the surface elevation at the wellhead, proposed depth of well, proposed minimum borehole diameter, casing diameter(s) and depth(s), annular seal interval(s), annular sealing method, calculated grout volumes, surface completion specifications, and any other pertinent well construction information.* The hydrogeologist/driller can work closely with the District in providing an appropriate well design schematic with required specifications.

**Item 3. Well Development Plan**

A well development plan that describes the process for handling cuttings and fluids during the well development.

**Item 4. Planned Aquifer Testing and Hydrogeological Report**

This requirement is not applicable to proposed Exempt wells, as defined in Rule 3.1 (B). For Non-exempt wells, a description of planned aquifer testing must be submitted and approved before this application can be considered administratively complete. A Hydrogeological Report that conforms to the District’s *Guidelines for Aquifer Testing and Hydrogeological Reports* will be required for proposed new Non-exempt wells and for existing Non-exempt wells with proposed major modification. Depending on the anticipated production volumes/rates, this report will require aquifer testing prescribed under Rule 3.4(A)(4), which will typically be conducted as part of and immediately following well installation or modification. Though the results of the aquifer testing and Hydrogeological Report will not be due until an application for a Production Authorization is made, the testing plan that will be conducted near the end of the well drilling or modification stage must be described and approved as part of the WDA application.

Aquifer testing for developing the hydrogeological report can only be performed on a well that is constructed to discretely produce from the target production zone and as equipped for the ultimate planned use. If a hydrogeological report is required, District staff will coordinate with the applicant or its representative on fulfilling this component of the application.

**Item 5. Additional Clarifying Information Requested by District General Manager**

The applicant may be asked to submit other clarifying facts, information and considerations deemed necessary by the General Manager for protection of the public health and welfare, and conservation and management of natural resources of the District. If it is determined additional information is needed, District staff will provide guidance in completing the application.

*For District Personnel Use Only*

Submitted ___/___/___ Staff Initials ___	Application Fee Received: Amount \$ _____ Chk #: _____
Submitted ___/___/___ Staff Initials ___	Application Form
Submitted ___/___/___ Staff Initials ___	Item 1. Written Descriptive Statement Approved on _____
Submitted ___/___/___ Staff Initials ___	Item 2. Well Design Specs and Schematic Approved on _____
Submitted ___/___/___ Staff Initials ___	Item 3. Well Development Plan Approved on _____
Submitted ___/___/___ Staff Initials ___	Item 4. Hydrogeologic Report Approved on _____
Submitted ___/___/___ Staff Initials ___	Item 5. Notice List and Map Approved on _____

**Well No. 1**

Application Administratively Complete on : \_\_\_\_\_ Incomplete on : \_\_\_\_\_  
Signature of Completion (District Staff) \_\_\_\_\_ Date: \_\_\_\_\_  
Board / General Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Aquifer : \_\_\_\_\_ Use Type: \_\_\_\_\_ Authorization Term: \_\_\_\_\_ Temp Well # or SWN: \_\_\_\_\_



# Application for Well Drilling/Modification Authorization

P.O. Box 340595, Austin, Tx 78734 · Tel. 512-276-2875 · www.swtcgcd.org

Complete this application to register and authorize drilling a new well; or to modify an existing registered well; or to seal, cap, or plug an existing well. District Rule 3.2(C) governs whether an alteration is a Major or Minor Modification. If you are only repairing or replacing equipment on a previously registered well, and do not alter its previous state, the source aquifer, or significantly increase capacity, then no application is needed; simply notify the District by email. Otherwise, submittal of this application form, its supporting documentation, and applicable fees per the District Fee Schedule, followed by the subsequent authorization by the District are required before initiating any work at the well. You may mail the completed form and other materials to the address above, or scan the form and supplemental materials and email them to [staff@swtcgcd.org](mailto:staff@swtcgcd.org).

## Purpose of Application and Its Associated *WDA Application Fee\** (check one):

- Minor Modification of Existing Exempt Well - \$0     Minor Modification of Existing Non-exempt Well - \$100  
 Major Modification of Existing Well - \$500     Drill New Well - \$500     Seal, Cap, or Plug Existing Well - \$100

\*A Well Construction Fee is due with this application for anticipated well capacities considered Non-Exempt under District Rules

## Section I. Contact Information

<b>Well Owner /Applicant:</b> <u>JPD Backyard Finance, LLC (Kyle McDaniel)</u> Email: <u>kyle@backyardaustin.com</u> Mailing Address: <u>1401 Lavaca Street PMB 10869</u> City: <u>Austin</u> Zip: <u>78701</u> County: <u>Travis</u> Primary Phone: <u>512-965-7761</u> Secondary Phone: _____ Please check the box that appropriately describes the applicant: <input checked="" type="checkbox"/> Landowner/Grantor <input type="checkbox"/> Lessee/Grantee Property lot/tract size: <u>17.573</u> acres  <input type="checkbox"/> Check this box if the physical address is the same as the mailing address. Physical Well Address: _____ City: _____ Zip: _____ County: Travis	
<b>Technical Consultant</b> This is the person who may be employed by the applicant to complete this application on the applicant's behalf.  Consultant Name: <u>Wet Rock Groundwater Services, LLC</u> Mailing Address: <u>317 RR 620 S., Suite 303</u> City: <u>Lakeway</u> , Texas Zip: <u>78734</u> Primary Phone: <u>512-773-3226</u> Secondary Phone: _____ Email: <u>k.khorzad@wetrockgs.com</u>	<b>Alternate Point of Contact (Well Site Access)</b> Contact Name: <u>Christi Van Rite</u> Mailing Address: <u>1401 Lavaca Street PMB 40869</u> City: <u>Austin</u> , Texas Zip: <u>78701</u> Primary Phone: <u>512-809-0898</u> Secondary Phone: _____ Email: <u>christi@backyardaustin.com</u>

## Section II. Supporting Ownership Documentation (not required for Minor Modification of wells used solely for Domestic Use)

1. Provide a complete copy of the recorded deed, showing current ownership, legal description, and a date recorded. If the applicant is a lessee/grantee then provide a copy of the recorded easement, lease, or memorandum of lease.
2. Provide a copy of the property survey as recorded with the County. If a subdivision plat is applicable, please also provide a recorded copy of the subdivision plat.
3. Provide a map of the property or site plan showing the location of the existing or proposed well, the locations of the nearest property lines, the nearest septic tank, the nearest septic absorption field or septic spray area, and any potential sources of contamination within 150 feet.

Section III. Water Use Types

Select ALL the use types that will be supplied by the requested groundwater production from well(s).

Irrigation:

- Agricultural Irrigation
 Residential Irrigation (outdoor use only)
 Golf Course Irrigation
 Sports & Athletic Field Irrigation
 Nursery/Greenhouse Irrigation
 Other Irrigation \_\_\_\_\_

Public Water Supply (Wholesale, Retail, Municipal, WSC, IOU)

Domestic Use (residential indoor/outdoor use)

Industrial:

- Operational Processes/Facilities
 Facility Landscape

Commercial:

- Operational Processes/Facilities
 Facility Landscape

Aquifer Storage and Recovery

Livestock

Other \_\_\_\_\_

Section IV. Well Information

- 1. Indicate the total number of existing wells on the entire property: in use 0 not in use \_\_\_\_\_.
2. Will this well be placed in aggregate with an existing permitted well(s)?  Yes  No.
3. Will the groundwater withdrawn from this well be used in a location different from the well tract?  Yes or  No
4. Is this a replacement well?  Yes  No If yes, what will the status of the old well be?  in use  capped  plugged
5. Aquifer:  Upper Trinity  Middle Trinity  Lower Trinity  Other (specify) \_\_\_\_\_
6. Well Coordinates (<https://www.maps.ie/coordinates.html>) Latitude: 30° 18' 43.75" N Longitude: 97° 57' 10.73" W
7. Is well currently and/or intended to be authorized under permit (if yes, specify permit) will apply for Operating Permit
8. The following information must be provided as applicable and in full, adding additional narrative for any necessary explanatory statements.

For existing well to be sealed, capped, or plugged, or to be modified for continued use:

Date well was drilled: \_\_\_\_\_ Well Driller: \_\_\_\_\_ Existing Well Capacity (GPM): \_\_\_\_\_

Existing Pump Size (horsepower): \_\_\_\_\_ Existing Pump Depth: \_\_\_\_\_ Wellhead Elevation: \_\_\_\_\_

Current Total Well Depth: \_\_\_\_\_

Existing Casing Sizes and Depths: \_\_\_\_\_ Anticipated Well Capacity (GPM): \_\_\_\_\_

Anticipated Pump Size (HP): \_\_\_\_\_ Anticipated Pump Depth: \_\_\_\_\_ Anticipated Total Well Depth: \_\_\_\_\_

For new well to be drilled:

Anticipated Wellhead Elevation: 960' Anticipated Well Capacity (GPM): 35 Anticipated Pump Size (HP): 10

Anticipated Pump Depth: 859' Anticipated Total Well Depth: 920'

Anticipated Casing Sizes and Depths: \_\_\_\_\_ Anticipated Minimum Borehole Diameter: 9 7/8"  
6" SDR 17 PVC Casing (+2'-720'); 6" SDR 17 PVC (720'-920')

Section V. Declarations

Initial to indicate that the applicant has read and understands the following declarations.

- \_\_\_ The applicant agrees that water produced/withdrawn from the well in reference will be put to beneficial use at all times.
\_\_\_ The applicant understands that failure to submit all required application items, including applicable fees, within the application review period will result in an administratively incomplete application and non-issuance of a permit.
\_\_\_ The applicant will comply with the District Rules, all orders, and Production Authorizations promulgated pursuant to the District Rules.
\_\_\_ The applicant will comply with well plugging and capping guidelines set forth in these Rules and will report well closures as required in Rule 4.4.
\_\_\_ Many of the incorporated cities within Travis County have ordinances concerning the drilling of wells within their city limits, and Travis County also has groundwater supply-related regulations. It is your responsibility to comply with County regulations and your city ordinances regarding the use of groundwater and drilling of wells. The permits issued by the District do not confer any right to violate any county regulations or city ordinances regarding groundwater.
\_\_\_ The applicant understands that this permit confers no vested rights in the holder and the permit is non-transferable. **Written notice with details of transaction parties must be given to the District by the permittee prior to any sale or lease of the well covered by this Authorization.**
\_\_\_ This authorization is not a permit to produce groundwater from the well; a Production Authorization is required for that purpose.





**SUPPLEMENTAL APPLICATION INFORMATION**

Unless specified otherwise, the following items must be completed and submitted before your WDA Application can be considered administratively complete.

**Item 1. Written Descriptive Statement**

The applicant must provide a written detailed statement that addresses all of the following components in one “type-written” statement in a Word document format. The submitted Word document should be signed and dated.

- a) Nature, Purpose & Location
  - Describe the nature and purpose of the various proposed uses including proposed uses by persons other than the well owner.
  - Describe the well location and the proposed receiving area(s) for groundwater produced from the well, including the characteristics and use of any surface impoundments.
  - Describe Proposed Transfers or Transports – Location and purpose of any water to be resold, leased, exported, transferred or transported.
- b) Pumpage Volume
  - State the anticipated pumpage volume and pumping rate at which water is proposed to be withdrawn from each well. Apportion the volume by calendar month (approximations/estimates are okay.)

**Item 2. Well Construction Design, Specifications, and/or Schematic**

This requirement is not applicable to wells that will be used solely for domestic use. For all other use types, the applicant must submit a schematic of the proposed well design and specify *the surface elevation at the wellhead, proposed depth of well, proposed minimum borehole diameter, casing diameter(s) and depth(s), annular seal interval(s), annular sealing method, calculated grout volumes, surface completion specifications, and any other pertinent well construction information.* The hydrogeologist/driller can work closely with the District in providing an appropriate well design schematic with required specifications.

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A well development plan that describes the process for handling cuttings and fluids during the well development.

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Submitted ___/___/___ Staff Initials ___	Item 4. Hydrogeologic Report Approved on _____
Submitted ___/___/___ Staff Initials ___	Item 5. Notice List and Map Approved on _____

**Well No. 2**

Application Administratively Complete on : \_\_\_\_\_ Incomplete on : \_\_\_\_\_  
Signature of Completion (District Staff) \_\_\_\_\_ Date: \_\_\_\_\_  
Board / General Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
Aquifer : \_\_\_\_\_ Use Type: \_\_\_\_\_ Authorization Term: \_\_\_\_\_ Temp Well # or SWN: \_\_\_\_\_

## *2 – Foreclosure Sale Deed*



**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.**

THE STATE OF TEXAS       §  
  §  
COUNTY OF TRAVIS       §

**FORECLOSURE SALE DEED  
BY SUBSTITUTE TRUSTEE  
(BACKYARD)**

Effective as of April 15, 2016, **BACKYARD PARTNERS LLC**, a Delaware limited liability company ("**Mortgagor**"), executed and delivered to **CLIFTON M. DUGAS, II**, as trustee ("**Trustee**"), a Deed of Trust, Assignment of Leases and Rents, Security Agreement and Fixture Filing ("**Security Instrument**") that is recorded in the Official Public Records of Travis County, Texas, at Document Number 2016058101, as thereafter renewed and extended, to secure **JPD BACKYARD FINANCE, LLC**, a Texas limited liability company ("**Mortgagee**"), as successor-in-interest to Romspen Mortgage Limited Partnership, an Ontario limited partnership, in the payment of all Debt (as that term is defined in the Security Instrument) owing by Mortgagor to Mortgagee, by Mortgagor granting, selling and conveying to the Trustee, in trust, certain real and personal property located in the County of Travis, State of Texas, as more particularly described in **Exhibit A** attached hereto (the "**Property**").

Default has occurred in the payment of the Debt when due, and Mortgagee, the holder of the Debt, and of all liens and security interests, assignments and encumbrances in the Property that secures the payment of the Debt pursuant to the Security Instrument, has since the default appointed the undersigned, as substitute trustee ("**Substitute Trustee**"), in an instrument that is recorded in the Official Public Records of Travis County, Texas, at Document Number 2018143015 and Mortgagee, because the Debt remains unpaid, has instructed the undersigned, as Substitute Trustee, to sell the Property in accordance with the provisions of the Security Instrument, the Mortgagee having elected to proceed against and sell the Property in accordance with Mortgagee's rights and remedies under the Security Instrument.

Pursuant to Mortgagee's request and the provisions of said Security Instrument, and after complying with all notice provisions of Section 51.002(b) of the Texas Property Code, and after complying with all other prerequisites required by law, the Security Instrument and/or other documents creating, evidencing, describing or securing the Debt, I proceeded, as Substitute Trustee, to sell the Property at public auction (the "**Foreclosure Sale**") at the west steps of the Travis County Courthouse located at 1000 Guadalupe Street, Austin, Texas, said area being the area designated by the Commissioners' Court of Travis County, Texas, on Tuesday, November 6, 2018, at approximately 10:35 a.m.

Mortgagee was the highest bidder for the Property at the Foreclosure Sale, and I sold the Property, acting as Substitute Trustee, to Mortgagee for the bid amount ("**Bid Amount**").


Substitute Trustee, subject to any prior liens and other exceptions to conveyance and warranty in the Security Instrument, in consideration of the foregoing, and in further consideration of the payment by Mortgagee to Substitute Trustee of the Bid Amount, by the authority conferred on Substitute Trustee by the Security Instrument, grants, sells and conveys the Property to Mortgagee, whose mailing address is

8911 N. Capitol of Texas Hwy., Suite 3210, Austin, Texas 78749, "AS IS," AT GRANTEE'S OWN RISK, AND WITHOUT ANY EXPRESSED OR IMPLIED WARRANTIES, EXCEPT AS TO WARRANTIES OF TITLE AS TO THE PROPERTY (all as further provided in Section 51.009, Texas Property Code), together with all and singular the rights, privileges, and appurtenances thereto in any way belonging, to have and hold the Property, together with, all and singular the rights, privileges and appurtenances thereto, to Grantee and Grantee's heirs, legal representatives, successors and assigns forever. Substitute Trustee binds Mortgagor and Mortgagor's heirs, legal representatives, successors and assigns to warrant and forever defend all and singular the Property and the rights, privileges and appurtenances thereto, to Grantee and Grantee's heirs, legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to any prior liens and other exceptions to conveyance and warranty in the Security Instrument.

SUBSTITUTE TRUSTEE HAS NOT MADE, AND DOES NOT MAKE, ANY REPRESENTATIONS, EXPRESS OR IMPLIED, WITH RESPECT TO THE PERSONAL PROPERTY, AND THE PERSONAL PROPERTY IS SOLD TO GRANTEE "AS IS," WHERE IS AND WITH ALL FAULTS. THERE IS NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE IN THIS DISPOSITION OF PERSONAL PROPERTY.

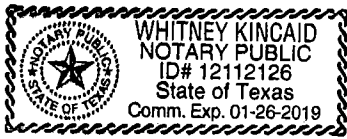
*[Signature page follows.]*

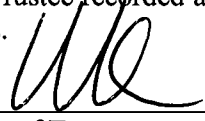
Executed effective as of November 6, 2018.

  
Matthew R. Bair, Substitute Trustee

THE STATE OF TEXAS     §  
  §  
COUNTY OF TRAVIS     §

This instrument was acknowledged before me on November 6, 2018, by Matthew R. Bair, as Substitute Trustee appointed under that certain Appointment of Substitute Trustee recorded as Document Number 2018143015 in the Official Public Records of Travis County, Texas.



  
Notary Public, State of Texas  
My Commission Expires: \_\_\_\_\_

AFTER RECORDING RETURN TO:

**Karl P. Baker**  
**Golden Steves & Gordon LLP**  
**200 East Basse Road, Suite 200**  
**San Antonio, Texas 78209**

**EXHIBIT A**  
**Property**

- (a) **Land**. The real property described in **Schedule I** attached hereto and made a part hereof (the "***Land***");
- (b) **Additional Land**. All additional lands, estates and development rights (including without limitation any rights of Mortgagor or the Land in connection with any offsite detention or other facilities) acquired by Mortgagor and all additional lands and estates therein;
- (c) **Improvements**. The buildings, structures, fixtures, additions, enlargements, extensions, modifications, repairs, replacements and improvements erected or located on the Land (collectively, the "***Improvements***");
- (d) **Easements**. All easements, rights-of-way or use, rights, strips and gores of land, streets, ways, alleys, passages, sewer rights, water, water courses, water rights and powers, air rights and development rights, and all estates, rights, titles, interests, privileges, liberties, servitudes, tenements, hereditaments and appurtenances of any nature whatsoever, in any way belonging, relating or pertaining to the Land and the Improvements and the reversion and reversions and remainders, and all land lying in the bed of any street, road or avenue, opened or proposed, in front of or adjoining the Land, to the center line thereof and all the estates, rights, titles, interests, dower and rights of dower, curtesy and rights of curtesy, property, possession, claim and demand whatsoever, both at law and in equity, of Mortgagor of, in and to the Land and the Improvements and every part and parcel thereof, with the appurtenances thereto;
- (e) **Equipment**. All "goods" and "equipment," as such terms are defined in Article 9 of the as adopted and enacted by the state or states where any of the Property is located (the "***Uniform Commercial Code***"), now owned or hereafter acquired by Mortgagor, which is used at or in connection with the Improvements or the Land or is located thereon or therein (including all machinery, equipment, furnishings, and electronic data-processing and other office equipment and any and all additions, substitutions and replacements of any of the foregoing), together with all attachments, components, parts, equipment and accessories installed thereon or affixed thereto (collectively, the "***Equipment***");
- (f) **Fixtures**. All Equipment owned by Mortgagor which is so related to the Land and Improvements forming part of the Property that it is deemed fixtures or real property under the law of the particular state in which the Equipment is located, including all building or construction materials intended for construction, reconstruction, alteration or repair of or installation on the Property, construction equipment, appliances, machinery, plant equipment, fittings, apparatuses, fixtures and other items now or hereafter attached to, installed in or used in connection with (temporarily or permanently) any of the Improvements or the Land, including engines, devices for the operation of pumps, pipes, plumbing, cleaning, call and sprinkler systems, fire extinguishing apparatuses and equipment, heating, ventilating, laundry, incinerating, electrical, air conditioning and air cooling equipment and systems, gas and electric machinery, appurtenances and equipment, pollution control equipment, security systems, disposals, dishwashers, refrigerators and ranges, recreational equipment and facilities of all kinds, and water, gas, electrical, storm and sanitary sewer facilities, utility lines and equipment (whether owned individually or jointly with others, and, if owned jointly, to the extent of Mortgagor's interest therein) and all other utilities whether or not situated in easements, all water tanks, water supply, water power

sites, fuel stations, fuel tanks, fuel supply, and all other structures, together with all accessions, appurtenances, additions, replacements, betterments and substitutions for any of the foregoing and the proceeds thereof (collectively, the "**Fixtures**");

- (g) **Personal Property.** All furniture, furnishings, objects of art, machinery, goods, tools, supplies, appliances, general intangibles, entitlements, approvals, authorizations, contract rights, accounts, accounts receivable, franchises, licenses, certificates and permits, and all other personal property of any kind or character whatsoever as defined in and subject to the provisions of the Uniform Commercial Code, other than Fixtures, owned by Mortgagor and which are located within or about the Land and the Improvements, together with all accessories, replacements and substitutions thereto or therefor and the proceeds thereof (collectively, the "**Personal Property**"), and the right, title and interest of Mortgagor in and to any of the Personal Property which may be subject to any security interests, as defined in the Uniform Commercial Code, superior in lien to the lien of the Security Instrument and all proceeds and products of the above;
- (h) **Leases and Rents.** All leases, subleases or subsubleases, lettings, licenses, concessions or other agreements (whether written or oral) pursuant to which any Person is granted a possessory interest in, or right to use or occupy all or any portion of the Land and the Improvements, and every modification, amendment or other agreement relating to such leases, subleases, subsubleases, or other agreements entered into in connection with such leases, subleases, subsubleases, or other agreements and every guarantee of the performance and observance of the covenants, conditions and agreements to be performed and observed by the other party thereto, heretofore or hereafter entered into (collectively, the "**Leases**"), whether before or after the filing by or against Mortgagor of any petition for relief under the Bankruptcy Code and all right, title and interest of Mortgagor, its successors and assigns therein and thereunder, including cash or securities deposited thereunder to secure the performance by the lessees of their obligations thereunder and all rents, additional rents, revenues, issues and profits (including all oil and gas or other mineral royalties and bonuses) from the Land and the Improvements whether paid or accruing before or after the filing by or against Mortgagor of any petition for relief under the Bankruptcy Code (collectively, the "**Rents**") and all proceeds from the sale or other disposition of the Leases and the right to receive and apply the Rents to the payment of the Debt. "Rents" shall include all revenues, deposits (including security, utility and other deposits and Lease termination payments and tenant reimbursements), accounts, cash, issues, fees, profits, charges for services rendered, and other consideration of whatever form or nature received by or paid to or for the account of or benefit of Mortgagor or its agents or employees from any and all sources (including any Service Rights granted to any Person and any warrants, stock options or other rights granted to Mortgagor or its Affiliates in connection with any Lease) whether or not arising from or attributable to the Property, and proceeds, if any, from business interruption or other loss of income insurance, together with all proceeds from the sale or other disposition of the Leases and the right to receive and apply the Rents to the payment of the Debt and all right, title and interest of Mortgagor, its successors and assigns therein and thereunder, including all guarantees, letters of credit (including the proceeds thereof) and any other credit support given by any guarantor in connection therewith, and all rents, additional rents, revenues, issues and profits (including all oil and gas or other mineral royalties and bonuses) from the Property and the Improvements whether paid or accruing before or after the filing by or against Mortgagor of any petition for relief under the Bankruptcy Code and all proceeds from the sale or other disposition of the Leases and the right to receive and apply the Rents to the payment of the Debt.



- (i) **Condemnation Awards**. All awards or payments, including interest thereon, which may heretofore and hereafter be made with respect to the Property, whether from the exercise of the right of eminent domain (including any Transfer made in lieu of or in anticipation of the exercise of the right), or for a change of grade, or for any other injury to or decrease in the value of the Property;
- (j) **Insurance Proceeds**. All proceeds in respect of the Property under any insurance policies covering the Property, including the right to receive and apply the proceeds of any insurance, judgments, or settlements made in lieu thereof, for damage to the Property;
- (k) **Tax Certiorari**. All refunds, rebates or credits in connection with reduction in real estate taxes and assessments charged against the Property as a result of tax certiorari or any applications or proceedings for reduction;
- (l) **Conversion**. All proceeds of the conversion, voluntary or involuntary, of any of the foregoing including proceeds of insurance and condemnation awards, into cash or liquidation claims;
- (m) **Rights**. The right, in the name and on behalf of Mortgagor, to appear in and defend any action or proceeding brought with respect to the Property;
- (n) **Agreements**. All agreements, contracts, certificates, instruments, franchises, permits, licenses, plans, specifications and other documents, and all rights therein and thereto, respecting or pertaining to the use, occupation, development, construction, renovation, management or operation of the Land and any part thereof and any Improvements or respecting or pertaining to any business or activity conducted on the Land and any part thereof and all right, title and interest of Mortgagor therein and thereunder, including the right to receive and collect any sums payable to Mortgagor thereunder;
- (o) **Trademarks**. All tradenames, trademarks, servicemarks, logos, copyrights, goodwill, books and records and all other general intangibles relating to or used in connection with the operation of the Property;
- (p) **Accounts**. All reserves, escrows and deposit accounts maintained by Mortgagor, together with all deposits or wire transfers made to such accounts, all cash, checks, drafts, certificates, securities, investment property, financial assets, instruments and other property held therein from time to time and all proceeds, products, distributions or dividends or substitutions thereon and thereof;
- (q) **Letter of Credit**. All letter-of-credit rights (whether or not the letter of credit is evidenced by a writing) Mortgagor has relating to the properties, rights, titles and interests set forth in this **Exhibit A**;
- (r) **Tort Claims**. All commercial tort claims Mortgagor now has or hereafter acquires relating to the properties, rights, titles and interests referred to in this **Exhibit A**; and
- (s) **Other Rights**. Any and all other rights of Mortgagor in and to the items set forth in this **Exhibit A**.

**SCHEDULE I**  
**Legal Description of the Land**

Lots 1 and 2, Block A, PLANET EARTH MUSIC, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded under Document No. 201000097 of the Official Public Records of Travis County, Texas.



**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS**

*Dana Debeauvoir*

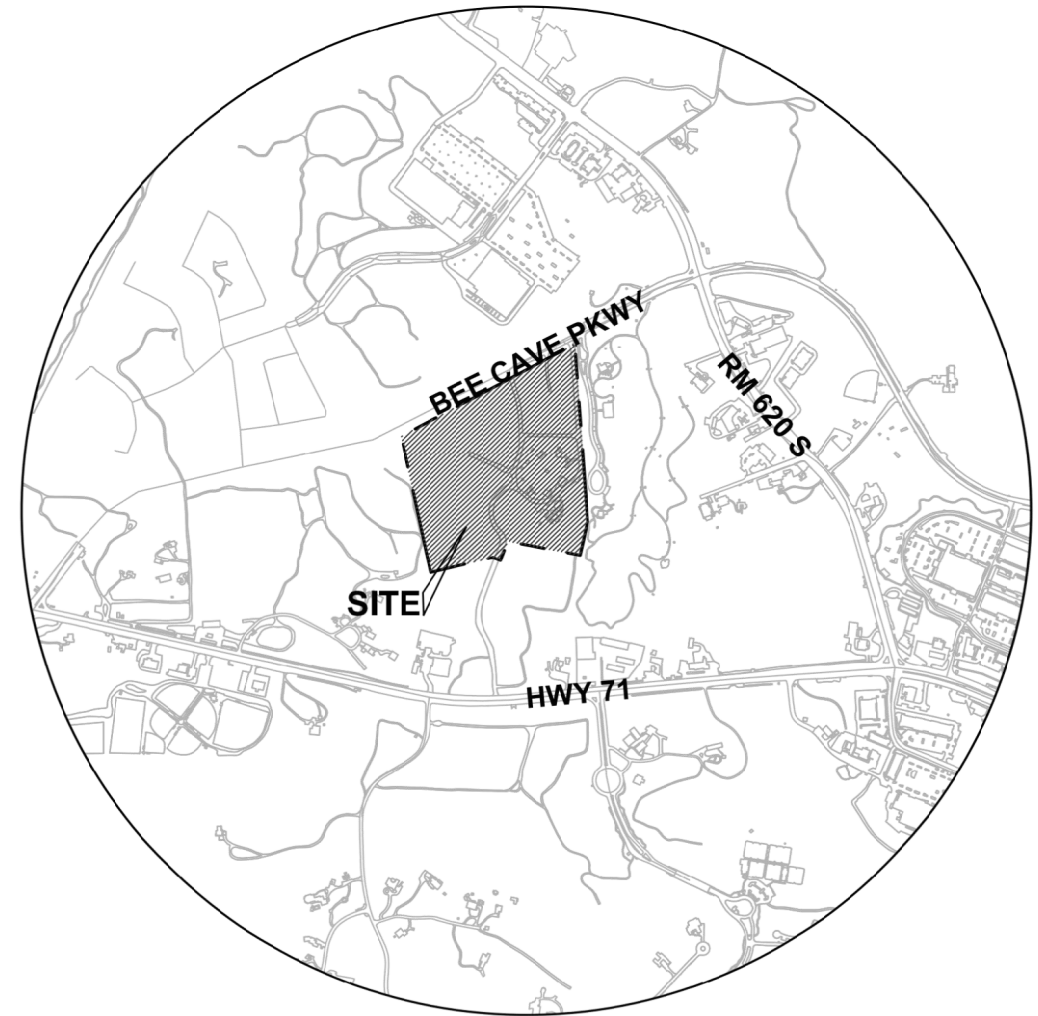
DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

November 06 2018 12:26 PM

FEE: \$ 50.00 2018174111

### *3 – Property Survey*





VICINITY MAP (MAPSCO GRID #550)  
N.T.S.

**OWNER:** JPD BACKYARD FINANCE, LLC  
13200 BEE CAVE PARKWAY  
AUSTIN, TEXAS 78736(512) 846-6036  
CONTACT: CHRISTI VAN RITE

**ENGINEER / SURVEYOR:** STANTEC CONSULTING SERVICES INC.  
1905 ALDRICH STREET, SUITE 300  
AUSTIN, TEXAS 78723  
(512) 328-0011  
CONTACT: LANCE ORITI, P.E.

# THE BACKYARD PRELIMINARY PLAT

**ADDRESS :** 13801 BEE CAVE PARKWAY  
BEE CAVE, TEXAS 78738

**1ST SUBMITTAL DATE :** JUNE 18, 2021

**PHASING SUMMARY:**

**PHASE 1 - SUBDIVISION INFRASTRUCTURE (PUBLIC STREETS AND PRIVATE DRIVES), PONDS, BEE CAVE PARKWAY MEDIAN IMPROVEMENTS, OLD BACKYARD EASEMENT AND HILLTOP GARDEN**

**PHASE 2 - EVENT VENUE, THE GLENN, PARKING GARAGE P1, CENTRAL PARK ENHANCED LANDSCAPING, CENTRAL PARK CONNECTION TO PROPERTY**

**PHASE 3 - ALL REMAINING BUILDINGS**

ALLOWABLE BACKYARD IMPERVIOUS COVER	
Property	35.14 ac
2.553 ac. Old Backyard Transfer Credit (1:1 per Ord. 428)	2.55 ac
Bee Cave Parkway ROW Per Ord. 428	2.31 ac
Total Site Area for Calculation of IC	40.00 ac
Allowable Impervious Cover @ 40%	16.00 ac
Potential Rainwater Harvesting credit (+5% max.)	TBD at Site Plan
Maximum Allowable Impervious Credit Per Ord. 428 (Ex. C Sec. IV.F)	773,547 SF



1905 Aldrich Street, Suite 300  
Austin, Texas 78723  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # F-10194230  
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FILE: V:\2220\active\222011642\civil\Preliminary Plat\drawing\sheet\11642\_c00\_101\_cvr.dwg

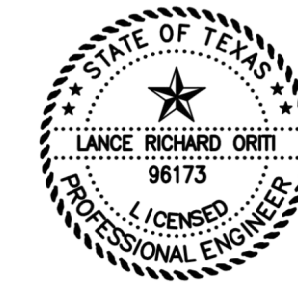
SHEET NO.	DESCRIPTION	SHEET INDEX
01	COVER SHEET	
02	PLAT 1 OF 2	
03	PLAT 2 OF 2	
04	OVERALL EXISTING DRAINAGE AREA MAP	
05	WATER QUALITY AND DETENTION POND AREA MAP	
06	PHASE 1 PROPOSED DRAINAGE AREA MAP	
07	ULTIMATE DRAINAGE AREA MAP	
08	WATER QUALITY POND A PLAN	
09	WATER QUALITY POND B PLAN	
10	WATER QUALITY AND DETENTION POND C PLAN	
11	DETENTION POND D PLAN	
12	REIRRIGATION AREA MAP	

SUBMITTED BY :

*Lance Orti*

JUNE 18, 2021

LANCE R. ORITI, P.E.  
STANTEC CONSULTING SERVICES INC.  
1905 ALDRICH STREET, SUITE 300  
AUSTIN, TEXAS 78723  
(512) 328-0011



APPROVED BY: PLANNING AND ZONING COMMISSION, CITY OF BEE CAVE, TEXAS

CITY OF BEE CAVE CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

ATTESTED TO BY: \_\_\_\_\_

CITY OF BEE CAVE SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY: CITY COUNCIL, CITY OF BEE CAVE, TEXAS

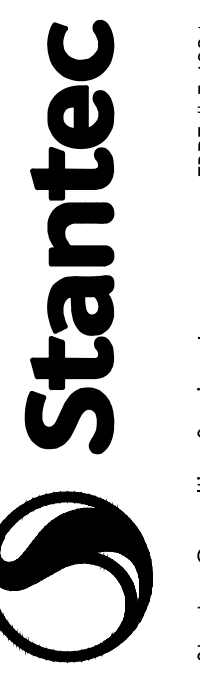
CITY OF BEE CAVE MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

ATTESTED TO BY: \_\_\_\_\_

CITY OF BEE CAVE SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

SHEET  
**01**  
OF 12

THE BACKYARD PRELIMINARY PLAT



Stantec Consulting Services Inc.  
1905 Aldrich Street Suite 300  
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Tel (512) 328-0011  
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TBPE # F-6324  
TBPLS # 10194230

The contractor and user, and be responsible for all dimensions. DO NOT scale the drawing. Any errors or omissions shall be reported to Stantec within 30 days of the date of issue for any purposes other than their authorized use.

Consultant

Issued	By	App'd	Revision

Permit/Seal

Client/Project  
BACKYARD MANAGEMENT, LLC

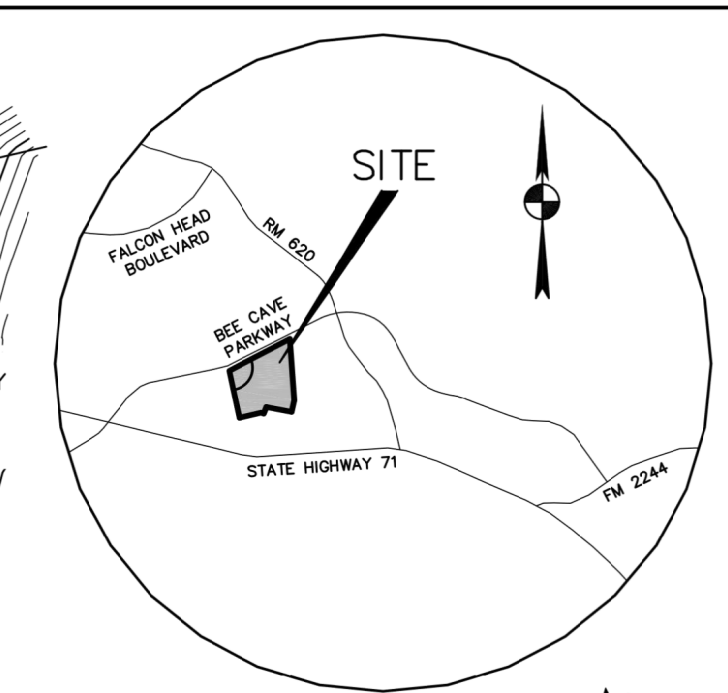
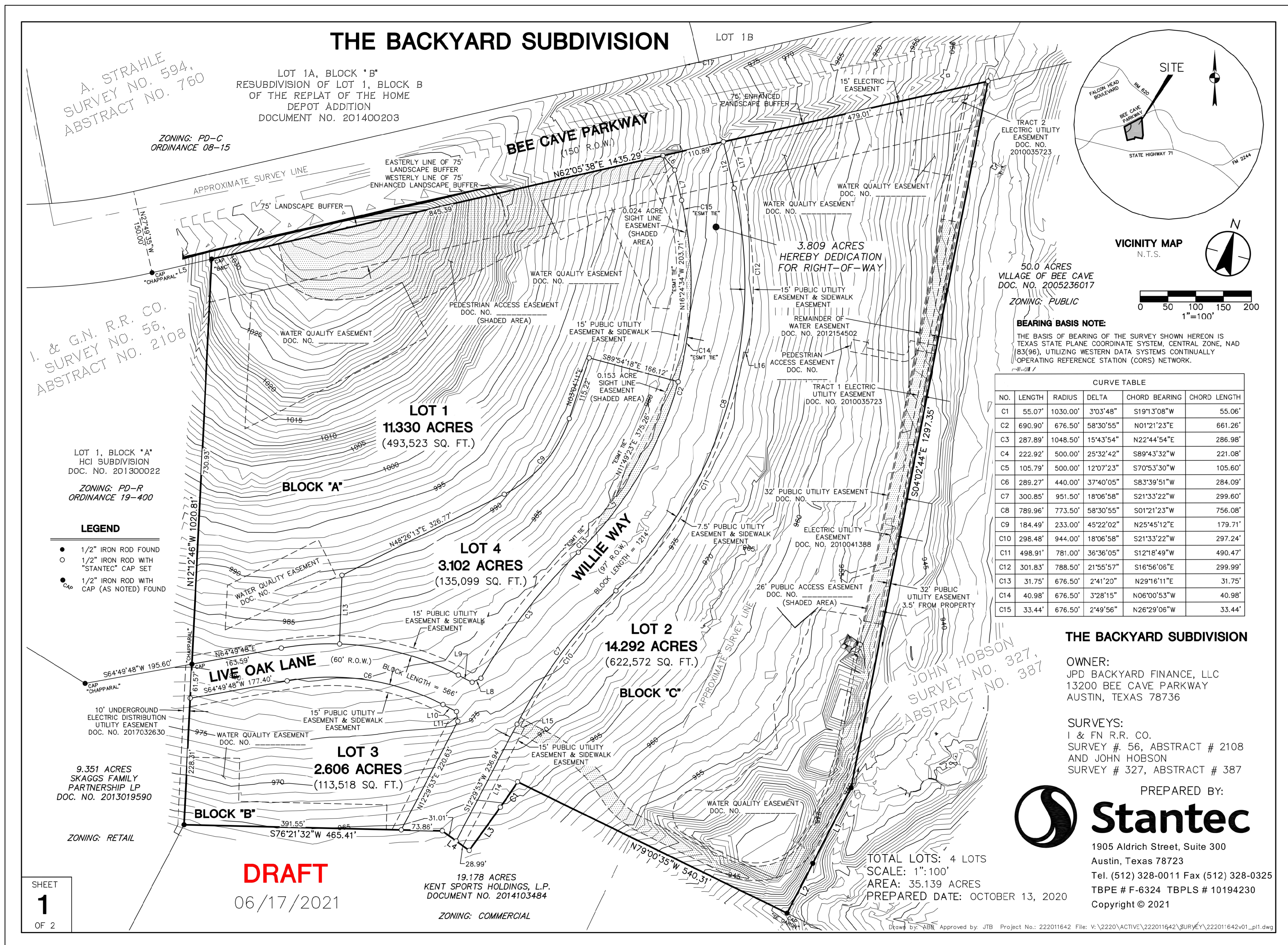
THE BACKYARD  
INFRASTRUCTURE SITE PLAN

13801 BEE CAVE PARKWAY  
AUSTIN, TEXAS 78738

Project No.: 222011642  
File Name: 11642\_C01\_101\_P101  
Scale: 7.30.2021  
Dwn. Dsgn. Chkd. YYYY.MM.DD

Title  
PRELIMINARY PLAT  
COVER SHEET

Revision:0  
Drawing No.



**CURVE TABLE**

NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	55.07'	1030.00'	3°03'48"	S191°3'08"W	55.06'
C2	690.90'	676.50'	58°30'55"	N01°21'23"E	661.26'
C3	287.89'	1048.50'	15°43'54"	N22°44'54"E	286.98'
C4	222.92'	500.00'	25°32'42"	S89°43'32"W	221.08'
C5	105.79'	500.00'	12°07'23"	S70°53'30"W	105.60'
C6	289.27'	440.00'	37°40'05"	S83°39'51"W	284.09'
C7	300.85'	951.50'	18°06'58"	S21°33'22"W	299.60'
C8	789.96'	773.50'	58°30'55"	S01°21'23"W	756.08'
C9	184.49'	233.00'	45°22'02"	N25°45'12"E	179.71'
C10	298.48'	944.00'	18°06'58"	S21°33'22"W	297.24'
C11	498.91'	781.00'	36°36'05"	S12°18'49"W	490.47'
C12	301.83'	788.50'	21°55'57"	S16°56'06"E	299.99'
C13	31.75'	676.50'	2°41'20"	N29°16'11"E	31.75'
C14	40.98'	676.50'	3°28'15"	N06°00'53"W	40.98'
C15	33.44'	676.50'	2°49'56"	N26°29'06"W	33.44'

A. STRAHLE  
SURVEY NO. 594,  
ABSTRACT NO. 760  
ZONING: PD-C  
ORDINANCE 08-15

I. & G.M. R.R. CO.  
SURVEY NO. 56,  
ABSTRACT NO. 2108

LOT 1, BLOCK "A"  
HCI SUBDIVISION  
DOC. NO. 201300022  
ZONING: PD-R  
ORDINANCE 19-400

- LEGEND**
- 1/2" IRON ROD FOUND
  - 1/2" IRON ROD WITH "STANTEC" CAP SET
  - 1/2" IRON ROD WITH CAP (AS NOTED) FOUND

9.351 ACRES  
SKAGGS FAMILY  
PARTNERSHIP LP  
DOC. NO. 2013019590  
ZONING: RETAIL

**DRAFT**  
06/17/2021

19.178 ACRES  
KENT SPORTS HOLDINGS, L.P.  
DOCUMENT NO. 2014103484  
ZONING: COMMERCIAL

**THE BACKYARD SUBDIVISION**  
OWNER:  
JPD BACKYARD FINANCE, LLC  
13200 BEE CAVE PARKWAY  
AUSTIN, TEXAS 78736  
  
SURVEYS:  
I & FN R.R. CO.  
SURVEY # 56, ABSTRACT # 2108  
AND JOHN HOBSON  
SURVEY # 327, ABSTRACT # 387

PREPARED BY:  
**Stantec**  
1905 Aldrich Street, Suite 300  
Austin, Texas 78723  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # 10194230  
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Stantec Consulting Services Inc.  
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Project No.: 222011642  
File Name: 11442\_C01\_01\_P101  
Scale:  
Dwn. Dgn. Chkd. YYY.MM.DD  
Title  
PRELIMINARY PLAT 1 OF 2  
Revision: 0  
Drawing No. **3** of 208

Issued	By	Appd	YTYM.DD	Revision

Client/Project: BACKYARD MANAGEMENT, LLC  
Title: THE BACKYARD INFRASTRUCTURE SITE PLAN  
13801 BEE CAVE PARKWAY  
AUSTIN, TEXAS 78736

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS COUNTY OF TRAVIS §

THAT JPD BACKYARD FINANCE, LLC, A DELAWARE LIMITED LIABILITY COMPANY ACTING HEREIN BY AND THROUGH KYLE McDANIEL, MANAGER, OWNER OF THAT CERTAIN 35.139 ACRE TRACT OF LAND SITUATED IN THE CITY OF BEE CAVE, TRAVIS COUNTY, TEXAS, BEING ALL OF LOTS 1 AND 2, BLOCK "A" PLANET EARTH MUSIC, A SUBDIVISION OF RECORD IN DOCUMENT NO. 201000097 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOTS 1 AND 2 CONVEYED TO JPD BACKYARD FINANCE, LLC BY DEED OF RECORD IN DOCUMENT NO. 2018174111 OF SAID OFFICIAL PUBLIC RECORDS, DO HEREBY DEDICATE ALL OF SAID TRACT SHOWN HEREOF TO BE KNOWN AS

THE BACKYARD SUBDIVISION

- GENERAL NOTES: 1. THIS SUBDIVISION IS LOCATED WITHIN THE CITY LIMITS OF BEE CAVE AND IS SUBJECT TO APPLICABLE CITY OF BEE CAVE ORDINANCES. 2. THIS PLAT REPLACES THE PLANET EARTH MUSIC FINAL PLAT EVIDENCED IN DOC. NO. 201000097, O.P.R.T.C. ALL NOTES, LOTS AND EASEMENTS CREATED WITH THE PREVIOUS PLAT SHALL BE VACATED WITH THE RECORDED OF THIS PLAT. 3. THIS SUBDIVISION IS LOCATED WITHIN THE LITTLE BARTON CREEK WATERSHED. 4. THIS SUBDIVISION IS LOCATED WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE. 5. ELECTRIC SERVICE WILL BE PROVIDED BY AUSTIN ENERGY. THIS SUBDIVISION IS ENCOMBERED BY A BLANKET ELECTRIC DISTRIBUTION UTILITY EASEMENT TO AUSTIN ENERGY RECORDED AS DOC. NO. O.P.R.T.C. 6. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY, AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE AND THE CITY OF BEE CAVE OAK WILT REGULATIONS. 7. THE OWNERS OF THIS SUBDIVISION SHALL PROVIDE AUSTIN ENERGY WITH AN EASEMENT AND/OR ACCESS REQUIRED IN ADDITION TO THOSE INDICATED, EXCLUSIVELY FOR THE INSTALLMENT AND ONGOING MAINTENANCE OF FACILITIES FOR IMPROVEMENTS TO THIS SUBDIVISION AND FOR NO OTHER PURPOSE. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRICAL SERVICE TO THE BUILDINGS AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE LAND DEVELOPMENT CODE. 8. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRICAL SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT. 9. THE OWNER OF THE PROPERTY OR HIS/HER ASSIGNS IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (O.S.H.A) REGULATIONS, AUSTIN ENERGY RULES AND REGULATIONS AND STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRICAL SERVICES UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER. 10. THIS SUBDIVISION RECEIVES POTABLE WATER AND WASTEWATER SERVICE FROM THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY (WTCPUA). 11. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED PUBLIC WATER AND WASTEWATER SYSTEM. 12. ALL PUBLIC RIGHT OF WAY AND PUBLIC UTILITY EASEMENTS (P.U.E.S) MAY BE USED BY TEXAS GAS SERVICE OR ITS ASSIGNS FOR THE PROVISION OF NATURAL GAS SERVICE. 13. THE WATER SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO SUPPLY THE FIRE FLOWS AS REQUIRED BY ORDINANCE 2010-1 ENACTED BY TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 6. PLANS SHALL BE REVIEWED AND APPROVED BY TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 6 FOR CONSTRUCTION OF THE SUBDIVISION IMPROVEMENTS AND SITE DEVELOPMENT OF ALL LOTS, EXCEPT SINGLE FAMILY. 14. IN APPROVING THIS PLAT, THE CITY OF BEE CAVE, TEXAS ASSUMES NO OBLIGATION TO BUILD STREETS OR ROADS SHOWN ON THIS PLAT OR BUILD ANY BRIDGES, CULVERTS OR DRAINAGE STRUCTURES IN CONNECTION THEREWITH, OR PROVIDE ANY TRAFFIC CONTROL DEVICES OR SIGNS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS OR ROADS SHOWN ON THIS PLAT, AND ALL BRIDGES, CULVERTS, DRAINAGE STRUCTURES CONSTRUCTED OR IN PLACE IN SUCH STREETS OR ROADS OR IN CONNECTION THEREWITH IS THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE CITY OF BEE CAVE, TEXAS. 15. THE PROPERTY HAS ACCESS TO AND FROM A DEDICATED PUBLIC ROADWAY. 16. DRAINAGE AND WATER QUALITY EASEMENTS ARE FOR THE PROTECTION OF THE ENVIRONMENT BY IMPROVING THE QUALITY OF STORM WATER RUNOFF FROM DEVELOPED LANDS. THE NATIVE LAND OR MANAGEMENT PRACTICES WITHIN THESE EASEMENTS ARE TO HELP MAINTAIN CLEAN WATER IN CREEKS, RIVERS, AND LAKES. NO STRUCTURE OR IMPROVEMENTS, OTHER THAN NATIVE PLANT ENHANCEMENTS, OR WATER QUALITY CONTROL IMPROVEMENTS IN ACCORDANCE WITH THE NON-POINT SOURCE POLLUTION CONTROL PERMIT FOR THE SUBDIVISION, OR MAINTENANCE TO THE AREAS IN ACCORDANCE WITH THE NON-POINT SOURCE POLLUTION CONTROL PERMIT FOR THE SUBDIVISION MAY BE PLACED OR PERFORMED WITH IN THESE EASEMENTS WITHOUT PRIOR AUTHORIZATION AND APPROVAL IN WRITING FROM THE CITY OF BEE CAVE. THESE EASEMENTS SHALL BE MAINTAINED BY THE OWNER OR ITS APPROVED ASSIGNS IN ACCORDANCE WITH THE MAINTENANCE PLAN OF THE NON-POINT SOURCE POLLUTION CONTROL PERMIT APPLICABLE TO THE LOT. THESE EASEMENTS MAY NOT BE AMENDED OR ALTERED EXCEPT BY EXPRESS WRITTEN AGREEMENT OF THE CITY. 17. PROPERTY OWNER AND/OR HIS/HER ASSIGNS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS/STORM SEWER EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY THE CITY OF BEE CAVE FOR INSPECTION OR MAINTENANCE OF SAID EASEMENTS. 18. DEVELOPMENT OF THIS PROPERTY SHALL NOT COMMENCE UNTIL A NON-POINT SOURCE POLLUTION CONTROL PERMIT AS REQUIRED BY THE CITY OF BEE CAVE, TEXAS HAS BEEN ISSUED BY THE CITY OF BEE CAVE, TEXAS. 19. ALL PROPERTY HEREIN IS SUBJECT TO THE CITY OF BEE CAVE NON-POINT SOURCE POLLUTION CONTROL PERMIT FOR THIS SUBDIVISION. SHOULD THE USE OF THIS PROPERTY CHANGE, ALTER, OR AMEND THE USE AS PERMITTED IN THE NON-POINT SOURCE POLLUTION CONTROL PERMIT, THEN AN AMENDED NON-SOURCE POLLUTION CONTROL PERMIT SHALL BE REQUIRED. 20. THE DETENTION AND WATER QUALITY FACILITIES LOCATED IN LOTS 1-4 SHALL BE MAINTAINED IN ACCORDANCE WITH THE DECLARATION OF RESTRICTIONS AND EASEMENTS RECORDED IN DOC. NO. O.P.R.T.C. 21. SELLING A PORTION OF THIS LAND BY METES AND BOUNDS IS A VIOLATION OF THE CITY OF BEE CAVE ORDINANCES AND STATE LAW, AND IS SUBJECT TO FINES AND THE WITHHOLDING OF UTILITIES AND BUILDING PERMITS. 22. NO CONVEYANCE OR SALES OF ANY PORTION OR LOT OF THIS PROPERTY MAY OCCUR UNTIL AFTER THE FINAL PLAT IS RECORDED WITH THE CLERK OF TRAVIS COUNTY, TEXAS. 23. THIS SUBDIVISION IS SUBJECT TO THE DECLARATIONS OF THE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN DOC. NO. O.P.R.T.C. 24. ALL LANDSCAPE IMPROVEMENTS COMMON TO THE SUBDIVISION WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION OR ITS ASSIGNS. 25. AN INTEGRATED PEST MANAGEMENT PLAN SHALL BE PROVIDED AT THE SUBDIVISION CONSTRUCTION PLAN STAGE TO THE CITY OF BEE CAVE. 26. THIS SUBDIVISION IS ZONED PLANNED DEVELOPMENT OFFICE DISTRICT, AS ESTABLISHED AND MODIFIED BY CITY ORDINANCE 428. 27. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF BEE CAVE SIGN ORDINANCE. 28. THE APPROVAL BY THE CITY COUNCIL OF THIS PLAT SHALL NOT, IN AND OF ITSELF, BE DEEMED TO CONSTITUTE OR IMPLY THE ACCEPTANCE BY THE CITY OF ANY STREET, PUBLIC AREA, EASEMENT OR PARK SHOWN ON THE PLAT. 29. THE ALLOWABLE IMPERVIOUS COVER FOR THE SUBDIVISION MUST BE ALLOCATED AMONG THE LOTS BY SEPARATE INSTRUMENT AT FINAL PLAT AS RECORDED IN DOCUMENT NO. O.P.R.T.C.. THE ALLOCATION MAY BE AMENDED BY A RECORDED INSTRUMENT SIGNED BY ALL LOT OWNERS. 30. BUILDING, PARKING AND LANDSCAPE SETBACKS FOR THIS SUBDIVISION ARE ESTABLISHED IN CITY ORDINANCE NO. 428. 31. PUBLIC UTILITY AND SIDEWALK EASEMENTS MAY CONTAIN RETAINING WALLS AND OTHER STRUCTURES THAT ARE ALLOWED TO ENCROACH THE BUILDING SETBACK PER CITY ORDINANCE NO. 428. 32. ALL EASEMENTS REQUIRED FOR DEVELOPMENT NOT DEDICATED ON THIS PLAT SHALL BE DEDICATED BY SEPARATE INSTRUMENT AND RECORDED IN THE OFFICIAL RECORDS OF TRAVIS COUNTY PRIOR TO ACCEPTANCE OF THE SUBDIVISION IMPROVEMENTS. 33. PHASING SHALL BE ESTABLISHED BY CITY ORDINANCE 428. SEE PHASE SUMMARY ON SHEET 1.

"THE BACKYARD SUBDIVISION". WITNESS MY HAND, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

BY: KYLE McDANIEL, MANAGER DATE JPD BACKYARD FINANCE, LLC 13200 BEE CAVE PARKWAY AUSTIN, TEXAS 78736

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS COUNTY OF TRAVIS §

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KYLE McDANIEL, MANAGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HAS ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED ON BEHALF OF SAID COMPANY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, NOTARY PUBLIC IN AND FOR THE COUNTY OF TRAVIS, TEXAS.

NOTARY PUBLIC MY COMMISSION EXPIRES IN AND FOR THE STATE OF TEXAS.

FLOOD PLAIN NOTE: NO PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOODPLAIN OR FLOOD PRONE AREA OR A FLOOD WAY OF ANY BODY OF WATER PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY RATE MAP, COMMUNITY F.I.R.M. MAP PREPARED FOR TRAVIS COUNTY, DATED JANUARY 22, 2020, AS SHOWN ON COMMUNITY PANEL NO. 48453C0405J AND PANEL NO. 48453C0415J.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS COUNTY OF TRAVIS §

THAT I, LANCE R. ORTI, A LICENSED PROFESSIONAL ENGINEER, LICENSED IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT AND THAT IT MEETS THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF BEE CAVE, TEXAS.

LANCE R. ORTI, P.E. DATE TEXAS REGISTRATION NO. 96173 STANTEC CONSULTING SERVICES, INC. 1905 ALDRICH STREET, SUITE 300 AUSTIN, TEXAS 78723

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS COUNTY OF TRAVIS §

THAT I, JOHN T. BILNOSKI, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY OF THE LAND SHOWN HEREON AND THAT THE SURVEY MONUMENTS SHOWN HEREON WERE SET UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF BEE CAVE, TEXAS.

JOHN T. BILNOSKI, R.P.L.S. DATE TEXAS REGISTRATION NO. 4998 STANTEC CONSULTING SERVICES, INC. 1905 ALDRICH STREET, SUITE 300 AUSTIN, TEXAS 78723

Table with 2 columns: LINE TABLE and LINE TABLE. Each table has 3 columns: NO., BEARING, DISTANCE. Contains 9 rows of survey data.

SHEET 2 OF 2

- 34. ALL PROPERTY HEREIN IS SUBJECT TO THE CITY OF BEE CAVE NON-POINT SOURCE POLLUTION CONTROL PERMIT FOR THIS SUBDIVISION. SHOULD THE USE OF THIS PROPERTY CHANGE, ALTER, OR AMEND THE USE AS PERMITTED IN THE NON-POINT SOURCE POLLUTION CONTROL PERMIT, THEN AN AMENDED NON-SOURCE POLLUTION CONTROL PERMIT SHALL BE REQUIRED. 35. WATER SATISFACTORY FOR HUMAN CONSUMPTION SHALL BE AVAILABLE TO EACH LOT IN THE PROPOSED SUBDIVISION FROM A SOURCE ON THE LAND, A COMMUNITY SOURCE, OR A PUBLIC UTILITY SOURCE, IN ADEQUATE AND SUFFICIENT SUPPLY FOR THE INTENDED USES ON EACH LOT WITHIN THE SUBDIVISION. 36. THE PUBLIC ACCESS EASEMENT ALONG THE SOUTHERN PROPERTY LINE FROM WILLE WAY TO THE EASTERN PROPERTY LINE DOES NOT COMPLY WITH CITY OF BEE CAVE PUBLIC STREET STANDARDS. IF THE CITY DESIRES THE EASEMENT TO BE DEDICATED AS A PUBLIC STREET, ALL IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO PAVEMENT WIDENING, SIDEWALK CONSTRUCTION, STREET TREE PLANTING AND UTILITY INSTALLATION SHALL BE INSTALLED AT THE CITY'S EXPENSE. ANY SUCH IMPROVEMENTS REQUIRING MODIFICATIONS TO FACILITIES CONSTRUCTED IN THIS SUBDIVISION MUST BE APPROVED BY THE LOT OWNERS. IF APPROVED, THE CITY WILL BE RESPONSIBLE FOR THE REDESIGN OR RECONSTRUCTION OF THE MODIFICATIONS, INCLUDING STREET WIDTH, SIDEWALK LOCATIONS, STREET TREE LOCATIONS, FIRE HYDRANT LOCATIONS, STREET PROFILE GRADIENTS, PUBLIC UTILITY EASEMENT LOCATIONS AND SETBACK REQUIREMENTS. ANY IMPERVIOUS COVER THAT IS PART OF A PRIVATE DRIVE WITHIN THE PUBLIC ACCESS EASEMENT THAT CONVERTS TO PUBLIC RIGHT OF WAY, SHALL BE SUBTRACTED FROM THE PROVIDED IMPERVIOUS COVER TOTAL FOR THE PROJECT. IN ADDITION, IF THE CONVERSION OF THE PUBLIC ACCESS EASEMENT TO A PUBLIC STREET RESULTS IN AN INCREASE IN IMPERVIOUS COVER, THE CITY WILL BE RESPONSIBLE FOR WATER QUALITY TREATMENT AND STORM WATER DETENTION, INCLUDING TCEQ PERMITTING, IF THE ON-SITE PONDS DO NOT HAVE SUFFICIENT CAPACITY TO DETAIN OR TREAT THE STORMWATER RUNOFF FROM THE INCREASED IMPERVIOUS COVER. 37. STORMWATER DRAINAGE DISCHARGE FROM WATER QUALITY POND AT THE NORTHEAST CORNER OF THE PROPERTY SHALL BE ACROSS THE CITY OF BEE CAVE PROPERTY THROUGH THE DRAINAGE EASEMENT RECORDED UNDER DOC. NO. OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. THE CITY SHALL HAVE THE RIGHT TO RELOCATE THIS DRAINAGE EASEMENT ON CITY PROPERTY AT ITS OWN EXPENSE.

CITY CERTIFICATIONS THIS SUBDIVISION PLAT IS APPROVED BY THE CITY OF BEE CAVE FOR FILING AT THE OFFICE OF THE COUNTY CLERK OF TRAVIS COUNTY, TEXAS.

APPROVED BY: PLANNING AND ZONING COMMISSION, CITY OF BEE CAVE, TEXAS.

CHAIRPERSON DATE CITY SECRETARY DATE ATTEST:

APPROVED BY: CITY COUNCIL, CITY OF BEE CAVE, TEXAS.

MAYOR DATE CITY SECRETARY DATE ATTEST:

THIS PROPERTY IS LOCATED IN THE CITY LIMITS OF THE CITY OF BEE CAVE, TRAVIS COUNTY, TEXAS.

MAYOR DATE CITY SECRETARY DATE ATTEST:

I, THE UNDERSIGNED MAYOR OF THE CITY OF BEE CAVE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY, AND AM HEREBY AUTHORIZED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE FOR RECORDING IN THE PLAT RECORDS

MAYOR DATE CITY SECRETARY DATE ATTEST:

STATE OF TEXAS § COUNTY OF TRAVIS §

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON

THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. AT \_\_\_\_ O'CLOCK \_\_\_\_ M., AND DULY RECORDED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. AT \_\_\_\_ O'CLOCK \_\_\_\_ M., OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. \_\_\_\_\_.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

DANA DEBEAUVOR, COUNTY CLERK TRAVIS COUNTY, TEXAS

BY: DEPUTY

DRAFT 06/17/2021

THE BACKYARD SUBDIVISION

OWNER: JPD BACKYARD FINANCE, LLC 13200 BEE CAVE PARKWAY AUSTIN, TEXAS 78736

SURVEYS: I & FN R.R. CO. SURVEY # 56, ABSTRACT # 2108 AND JOHN HOBSON SURVEY # 327, ABSTRACT # 387



PREPARED BY: Stantec

1905 Aldrich Street, Suite 300 Austin, Texas 78723 Tel. (512) 328-0011 Fax (512) 328-0325 TBPE # F-6324 TBPLS # 10194230 Copyright © 2021

TOTAL LOTS: 4 LOTS SCALE: 1"=100' AREA: 35.139 ACRES PREPARED DATE: OCTOBER 13, 2020

Drawn by: ABB Approved by: JTB Project No.: 222011642 File: V:\2220\ACTIVE\222011642\SURVEY\222011642v01\_pl1.dwg

V:\2220\active\222011642\survey\drawings\222011642v01\_pl01.dwg Jun 17, 21 1:24 PM by: jbilnoski



Consultant

Table with columns for Revision, Date, and Description. Includes entries for 'Issued' and 'App'd'.

Permit/Seal

Client/Project BACKYARD MANAGEMENT, LLC

THE BACKYARD INFRASTRUCTURE SITE PLAN

13801 BEE CAVE PARKWAY AUSTIN, TEXAS 78738

Project No.: 222011642 File Name: 11442\_C01\_01\_P101 Scale: 7.30.2021

Title PRELIMINARY PLAT 2 OF 2

Revision:0 Drawing No.

## *4 – Written Descriptive Statement*



### **Nature, Purpose & Location**

JPD Backyard Finance, LLC (“Backyard”) is planning on constructing a facility along Bee Cave Parkway in which 2 proposed wells will be constructed on the property. The proposed wells will discharge into a detention pond located on the southeast corner of the property. Once water has been collected into the detention pond it will then be distributed to four respective irrigation fields (103,472 square feet).

### **Pumpage Volume**

The anticipated combined pumpage volume is 3,700,492 gallons per year. This volume represents the total annual water demand for the Backyard facility, which includes irrigation infrastructure, future phases, and evaporation loss at two pond locations within the property. Anticipated operations of irrigation would occur 4 to 6 nights/week with one cycle lasting up to 10 hours. Below is an estimated monthly apportionment:

- January (100,906 gallons)
- February (117,570 gallons)
- March (241,413 gallons)
- April (252,264 gallons)
- May (392,101 gallons)
- June (473,374 gallons)
- July (562,809 gallons)
- August (581,635 gallons)
- September (396,856 gallons)
- October (307,046 gallons)
- November (174,039 gallons)
- December (100,479 gallons)

Kaveh Khorzad, P.G.

Wet Rock Groundwater Services, LLC.



July 26, 2022





## *5 – Site Map*



HILL COUNTRY TEXAS GALLERIA LLC  
 LOT 1 BLK C  
 HOME DEPOT ADDN RPLT BLK B  
 TCAD ID: 937690  
 21.818 ACRES

WILLIE ST ROW  
 BEE CAVE PKWY ROW  
 WILLIE WAY ROW

● Well ID: 151294  
 Owner: TBG Partners  
 Depth: 810'

12,348 Sq Ft

26,197 Sq Ft

JPD BACKYARD FINANCE  
 LOT 1 BLK A  
 PLANET EARTH MUSIC  
 TCAD ID: 893511  
 13.052 ACRES

VILLAGE OF BEE CAVE  
 ABS 527 SUR 387 HOBSON J  
 TCAD ID: 721564  
 50.000 ACRES

50,297 Sq Ft

JPD BACKYARD FINANCE  
 LOT 2 BLK A  
 PLANET EARTH MUSIC  
 TCAD ID: 797586  
 4.516 ACRES

Well No. 2 (Proposed)  
 Lat: 30° 18' 43.75" N  
 Long: 97° 57' 10.73" W  
 (WGS 1984)

TCHMALL SPORTS LLC  
 LOT 1 BLK A HCI SUBD  
 TCAD ID: 831505  
 8.603 ACRES

150 ft. radius

150 ft. radius

Well ID: 411480  
 Owner: Langle  
 Design  
 & Construction  
 Depth: 920'

14,630 Sq Ft





JPD BACKYARD FINANCE  
 LOT 1 BLK A  
 PLANET EARTH MUSIC  
 TCAD ID: 893512  
 17.573 ACRES

LIVE OAK LN ROW

Well No. 1 (Proposed)  
 Lat: 30° 18' 41.33" N  
 Long: 97° 57' 12.82" W  
 (WGS 1984)

SKAGGS TIM & BRENDA  
 ABS 322 SUR 521 GIBSON N  
 TCAD ID: 835017  
 8.550 ACRES

KENT SPORTS HOLDINGS LP  
 ABS 322 SUR 521 GIBSON N & ABS 2108  
 TCAD ID: 366631  
 19.178 ACRES

-  Travis County Parcels
-  Backyard Boundary
- Proposed Areas**
-  Irrigation Fields
-  Detention Pond

Scale: 0 120 240 Feet

Drawn By: NC Date: 7-25-2022

Quad Name and No:  
 Bee Cave, TX 30097-C8

Projection: UTM NAD 83 Z 14



**The Backyard Irrigation Wells No. 1 and 2: Site Map**

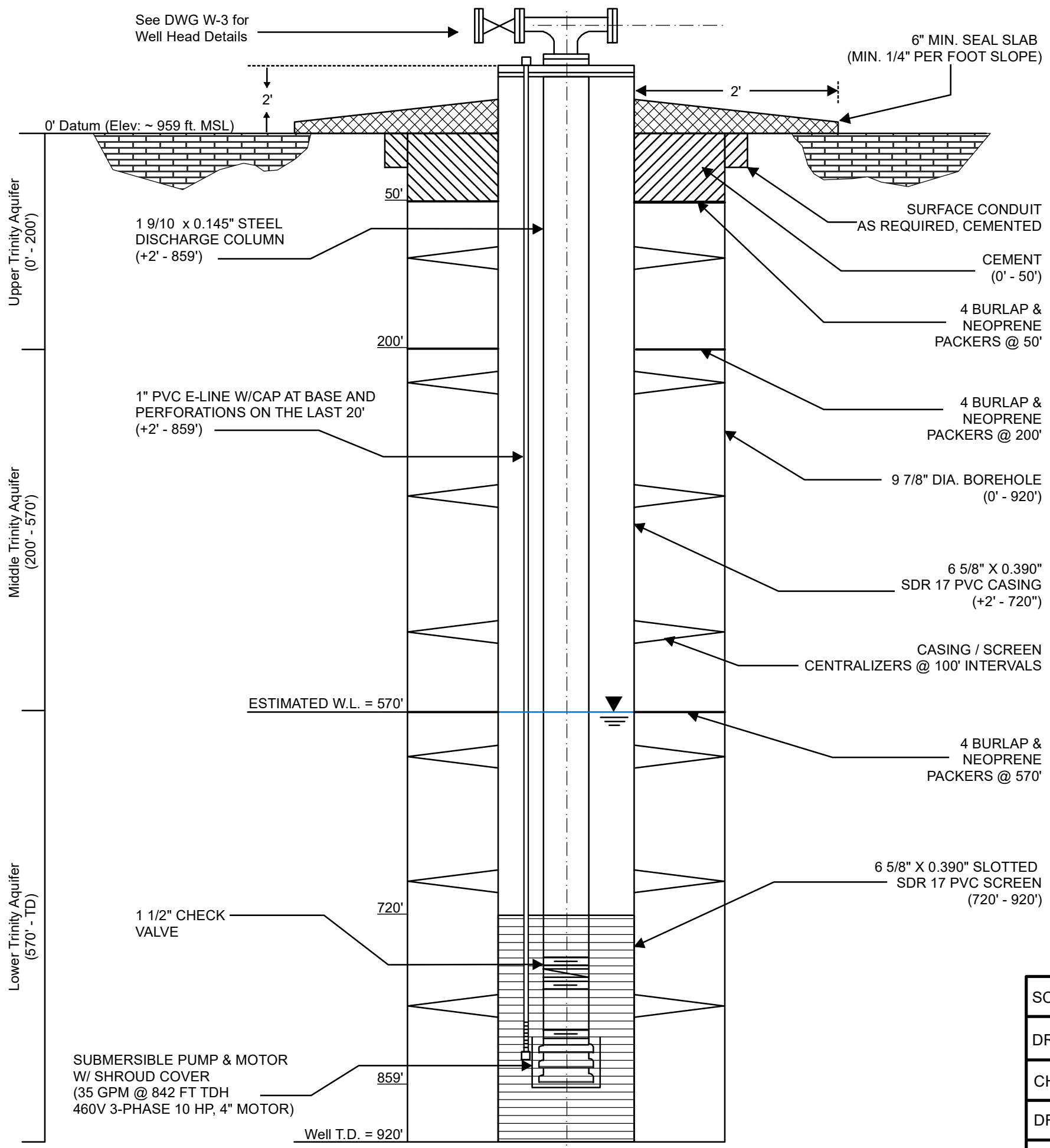
**The Backyard**  
 Travis County, Texas



**Wet Rock Groundwater Services, L.L.C.**  
 Groundwater Specialists  
 TBP Firm No: 50038  
 317 Ranch Road 620 South, Ste. 303  
 Austin, Texas 78734 Ph: 512.773.3226  
 www.wetrockgs.com

## *6 - Well Construction Design Schematic*





**Notes:**

1. Projects constructed on or after January 1, 2014 must comply with the Reduction in Lead in Drinking Water Act that reduces the maximum allowable lead content of pipes, pipe fittings, plumbing fixtures and fixtures to 0.25 percent.
2. Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.
3. Formation depths are general and for illustrative purposes only.
4. Pump head calculations are estimated and are subject to change.

Pump Head Calculations

Static	570'
Drawdown	200'
Frictional Loss (Column Pipe)	72.4'
Frictional Loss (Line)	1.0'
Elevation	0'
<b>TDH</b>	<b>842.4'</b>

SCALE: NONE
DRAWN BY: NC DATE: 6-24-22
CHECKED: KK 6-24-22
DRAWING NO: W-1
SHEET: 1 OF 2

**Well Profile: Well No. 1**

**The Backyard**  
Travis County, Texas

**Wet Rock Groundwater Services, LLC**  
 Groundwater Specialists  
 TBPG Firm No: 50038  
 317 Ranch Road 620 South, Suite 303  
 Austin, Texas 78734 Ph: 512.773.3226  
[www.wetrockgs.com](http://www.wetrockgs.com)

SUBMERSIBLE PUMP & MOTOR  
W/ SHROUD COVER  
(35 GPM @ 842 FT TDH  
460V 3-PHASE 10 HP, 4" MOTOR)

1 1/2" CHECK VALVE

1" PVC E-LINE W/CAP AT BASE AND PERFORATIONS ON THE LAST 20' (+2' - 859')

1 9/10 x 0.145" STEEL DISCHARGE COLUMN (+2' - 859')

See DWG W-3 for Well Head Details

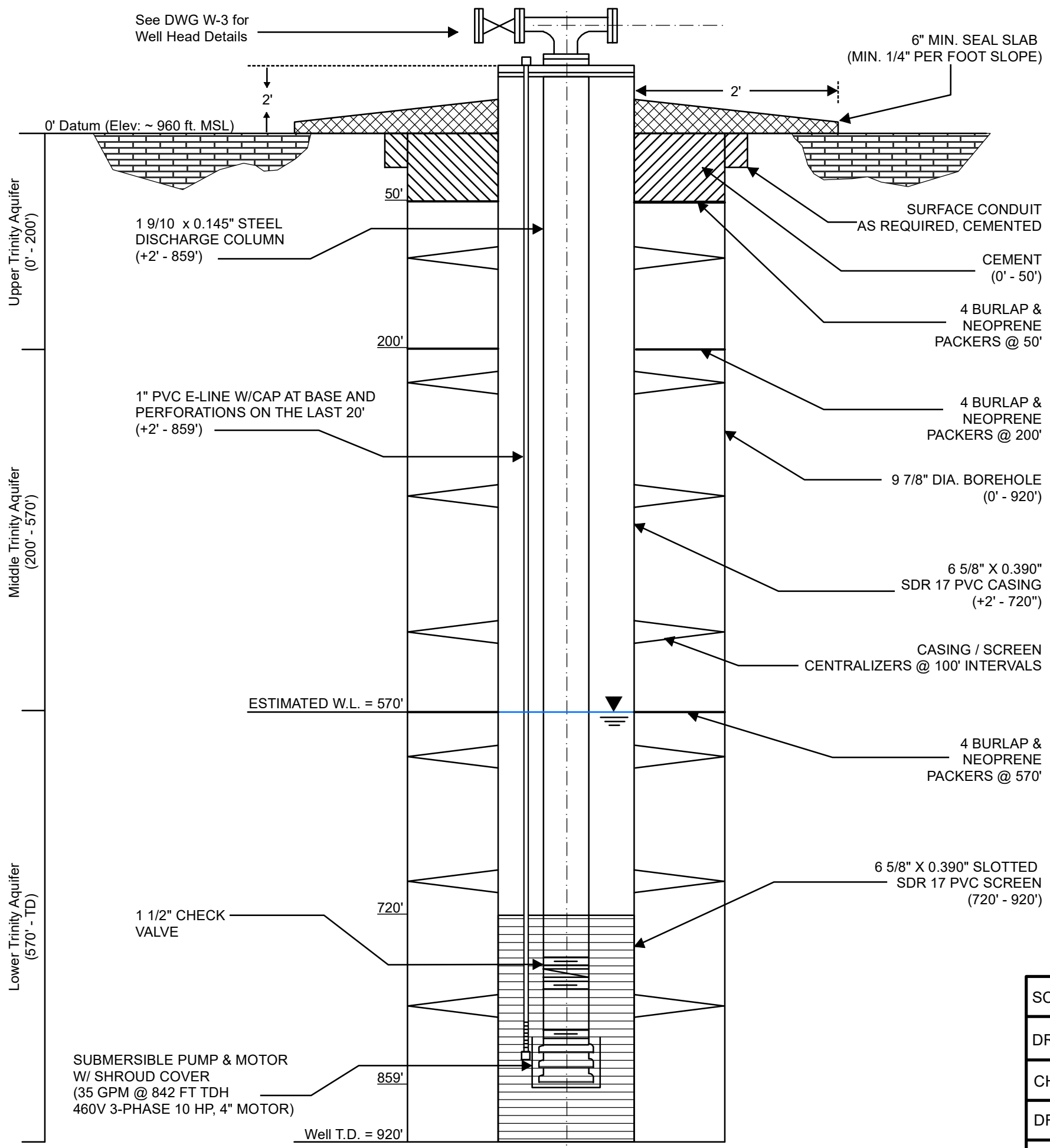
Upper Trinity Aquifer (0' - 200')

Middle Trinity Aquifer (200' - 570')

Lower Trinity Aquifer (570' - TD)

ESTIMATED W.L. = 570'

Well T.D. = 920'



**Notes:**

1. Projects constructed on or after January 1, 2014 must comply with the Reduction in Lead in Drinking Water Act that reduces the maximum allowable lead content of pipes, pipe fittings, plumbing fixtures and fixtures to 0.25 percent.
2. Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.
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Frictional Loss (Line)	1.0'
Elevation	0'
<b>TDH</b>	<b>842.4'</b>

SCALE: NONE
DRAWN BY: NC DATE: 6-24-22
CHECKED: KK 6-24-22
DRAWING NO: W-2
SHEET: 2 OF 2

**Well Profile: Well No. 2**

**The Backyard**  
Travis County, Texas

**Wet Rock Groundwater Services, LLC**  
 Groundwater Specialists  
 TBPG Firm No: 50038  
 317 Ranch Road 620 South, Suite 303  
 Austin, Texas 78734 Ph: 512.773.3226  
[www.wetrockgs.com](http://www.wetrockgs.com)

## *7 – Well Development Plan*



During drilling of the well, cuttings will be collected and bagged at 20 ft. intervals for examination. Drill cuttings will be kept onsite and will be dispersed near the drill site after examination. It is anticipated that the well will be drilled using air rotary drilling techniques that do not include the use of mud. Hay bales, silt fencing, and berms will be utilized near each drilling site to minimize drilling fluids, suspended solids, and discharge water from leaving the property. Representatives from Backyard will contact neighboring landowners to acquire approval if water is to expected to cross property lines.



## *8 – Planned Aquifer Testing and Hydrogeological Report*





## **Work Plan for Aquifer Test and Hydrogeologic Report**

Backyard has submitted a drilling authorization for two new wells completed within the Lower Trinity Aquifer. Backyard plans to obtain an Operating Permit, Irrigation Uses in the amount of 3,700,492 gallons per year or approximately 11.36 acre-feet/year. Water produced from the completed well(s) will be used to irrigate fields located in the northern portion of the property.

According to the Southwestern Travis County Groundwater Conservation District (the District) guidelines, the requested permit volume falls under Tier 2 of the Tiered Structure for Aquifer Testing and Hydrogeologic Report Requirements. Under this tier, an aquifer test and hydrogeologic report are required. Key elements of the Tier 2 Aquifer Test and Report include:

- Geophysical logging of the well. Our plans and specifications call for a suite of logs including gamma, sp, 4-point resistivity and a caliper log. If gamma spikes are noted, then a spectral ray log may be performed;
- Collection of drill cuttings at 20-foot intervals;
- Use of Proposed Well No. 2 for use as an observation well during aquifer testing;
- *Estimated aquifer properties:* We plan on calculating transmissivity and attempting to calculate the storativity if sufficient monitor well response is measured;
- *Estimated extent and magnitude of well interference:* The hydrogeologic report will address the short- and long-term impacts (at least seven years) from the anticipated pumping on existing surrounding water wells. This will be done by utilizing the Cooper-Jacob and/or Theis methods to produce distance-drawdown graphs;
- *Water quality:* The hydrogeologic report will document and establish water chemistry of the groundwater produced at the end of the 36-hour aquifer test, including field parameters (conductivity, temperature, pH); and
- *Estimated impacts to regional water resources:* The hydrogeologic report will address the short and long term impacts (if any) to aquifers, springs and surface streams in addition to DFCs.

As stated in the guidelines, hydrogeologic studies provide essential information for water-resource management for both the District and the permittee. Hydrogeologic studies and aquifer tests are essential tools to assess and document the potential influences on local wells and to understand the local aquifer characteristics. The work plan for the Tier 2 hydrogeologic report and aquifer testing will be conducted based on the following objectives:

1. Provide a detailed description of the project to include location, pumping demands, pumping schedules (frequency, peak demand hours, and pumping rates), and the location and volume of the water;
2. Briefly describe the geologic and hydrogeological properties of the Trinity Aquifer in the area near the well;
3. Design, perform, and analyze the results of the aquifer test; and
4. Report water quality sample analysis results and evaluate potential water level and water quality impacts from the well.



## **Description of the Well Site and Water System**

Included in the well site and water system description will be textual description and map of the well and system-configuration, including distribution and storage. Also included will be a description and table of the anticipated storage volume, pumping frequency, duration, peak demand, and rates will be included.

## **Geology and Aquifer Description**

A brief hydrogeologic evaluation of the study area will be discussed. Aquifer aspects, such as the aquifer conditions, thickness, and lateral continuity will be described by incorporating geophysical logs performed on the wells, available driller's logs, and applicable published literature from the area. These data will also aid in the development of detailed geologic and hydrogeologic stratigraphy at the well sites and in the surrounding area.

## **Aquifer Test Design and Operation**

A map and description of the production wells, including well schematics and completion information will be included in both textual and illustrative forms in the report. Equipment used for monitoring water levels, flow, and quality will be described in detail.

Below describes the methodology of the aquifer test:

- Each well will be pumped for a period no less than 36 hours per District requirements at a rate of approximately 35 gallons per minute (gpm). If for any reason the well cannot produce 35 gpm sustainably, the discharge rate will be reduced. During the aquifer test, the total volume pumped will equal at least three times the daily equivalent volume of the requested permit. At 35 gpm for 36 hours, we estimate that the volume pumped will equal approximately 7.5 times the daily equivalent volume of the requested permit;
- The recovery period for the aquifer test will continue until 90% recovery is achieved or stable water levels are measured for over 2 hours in the respective well;
- During the aquifer tests, Wet Rock Groundwater Services, LLC (WRGS) will measure the water level within the pumping well and an observation well located on the Backyard property if deemed suitable by the District;
- The pumping and observation wells will be equipped with a pressure transducer capable of measuring water level and temperature at one-minute intervals;
- Discharge rate from the pumping wells will be determined by a calibrated flow meter attached to the discharge column on the well head;
- A water quality sample will be taken at the end of the aquifer test in accordance with the District rules;



## **Aquifer Test Analyses**

Descriptions of the aquifer test, pre and post pumping test water levels, drawdown, and recovery will be presented in this section. A graph of the arithmetic (non-log) water level elevation versus time for all the data from each monitored well will be included. From these graphs, long and short term trends, the lack of full recovery of water levels, and evidence of aquifer boundaries can be addressed if necessary. The transmissivity and storage coefficients will be calculated using the Cooper-Jacob or Theis methods. Assumptions associated with each method, such as recharge, partial penetration of wells, fluctuating pumping rate, delayed yield, leakage, atmospheric responses, regional water-level trends, and interference from other wells will be discussed.

## **Evaluation of Potential Water Level and Water Quality Impacts**

The effects of pumping from the well on the affected aquifer and surrounding wells will be evaluated. A map of the maximum measured drawdown during aquifer testing will be provided. Theoretical drawdown from the well being tested, based upon transmissivity and storage coefficients calculated from the aquifer test, will be used to estimate drawdown over periods of one week, one year, and seven years.

Water quality trends that may have occurred due to the groundwater withdrawals will be evaluated and discussed. During the pumping test, field measurements such as pH and specific conductance will be measured during the first 4 hours and for the final 2 hours of the pumping test. During the pumping test, water samples will be collected and taken to a certified laboratory for analysis. Analytical results will be provided in the report appendices. Water quality assessment will also be carried out in cooperation with the District, which will be free to collect water samples as well.



Attachment D:

Digital copies of mailed notices

March 8, 2023

West Travis County Public Utility Agency  
13215 Bee Cave Pkwy Suite B110  
Bee Cave, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear West Travis County Public Utility Agency (Scott Roberts),

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

The application will be reviewed by District staff to confirm that all application requirements have been met. Within 60 days of the date on which the District determines that an application is administratively complete, the District will schedule and hold a public hearing under the provisions of District Rule 6.5 to consider the application and the proposed action on the application. At least 10 days prior to the scheduled public hearing, notice will be published in a newspaper of general circulation in Travis County (e.g., Austin American Statesman), and the District will post notice on the District’s website and at the District office. Copies of the completed application will be available at the District office and on the District’s website at least 10 days before the hearing. Interested parties may submit written comments about the application to the District prior to the scheduled meeting at which the application will be considered by the Board or may attend the meeting and submit written comments or make oral comments. Parties interested in formally participating in the hearing should refer to District Rule 6.5.

For further information, please contact the District by mail at PO Box 340595, Austin, Texas 78735, by phone at (512) 286-2875, or by email at [generalmanager@swtcgcd.org](mailto:generalmanager@swtcgcd.org). You may also contact the applicant’s representative, Kyle McDaniel of JPD Backyard Finance, LLC at 512-965-7761.

Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Texas Service Life Insurance C  
PO Box 341899  
Austin, TX, 78734

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Texas Service Life Insurance C,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Adobe LLC  
905 N Weston Ln  
Austin, TX, 78733

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Adobe LLC,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Zschappel Interest Danbury LLC  
331 Patchester Dr  
Houston, TX, 77079

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Zschappel Interest Danbury LLC,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

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Best regards,

JPD Backyard Finance, LLC



March 8, 2023

Halle Properties LLC  
DEPT 1100-TXA20225 N Scottsdale Rd  
Scottsdale, AZ, 85255

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Halle Properties LLC,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Tim and Brenda Skaggs  
13618 Highway 71 W  
Austin, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Tim and Brenda Skaggs,

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Ale Investments LLC  
4707 Montana Ave  
El Paso, TX, 79903

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Ale Investments LLC,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

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For further information, please contact the District by mail at PO Box 340595, Austin, Texas 78735, by phone at (512) 286-2875, or by email at [generalmanager@swtcgcd.org](mailto:generalmanager@swtcgcd.org). You may also contact the applicant’s representative, Kyle McDaniel of JPD Backyard Finance, LLC at 512-965-7761.

Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Joseph J Hajjar  
26 Sundown Pkwy  
Austin, TX, 78746

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Joseph J Hajjar,

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Best regards,

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March 8, 2023

Kent Sports Holdings LP  
5513 Foxfield Ln  
Bee Cave, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

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March 8, 2023

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Village of Bee Cave  
4000 Galleria Pkwy  
Austin, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Village of Bee Cave,

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Bee Cave Ventures LP  
3930 Ranch Road 620 S  
Bee Cave, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Bee Cave Ventures LP,

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Best regards,

JPD Backyard Finance, LLC



March 8, 2023

Rose M Arriaga  
2414 Wilson St  
Austin, TX, 78704

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Rose M Arriaga,

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

McCoy Investments Ltd  
PO Box 1028  
San Marcos, TX, 78667

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear McCoy Investments Ltd,

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March 8, 2023

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4000 Galleria Pkwy  
Austin, TX, 78738

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Austin, TX, 78738

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5513 Foxfield Ln  
Bee Cave, TX, 78738

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Best regards,

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March 8, 2023

TCHMall  
5513 Foxfield Ln  
Austin, TX, 78738

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Dear TCHMall,

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Target Corporation (521822)  
PO Box 9456 C/O Property Tax Department  
Minneapolis, MN, 55440

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Target Corporation (521822),

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Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Tim and Brenda Skaggs Revocable Trust  
13618 Highway 71 W  
Bee Cave, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

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March 8, 2023

Hill Country Texas Galleria LLC  
13215 Bee Cave Pkwy  
Bee Cave, TX, 78738

**RE: Public Notification of a Production Authorization Application to Produce from 2 Proposed Lower Trinity Wells**

Dear Hill Country Texas Galleria LLC,

JPD Backyard Finance, LLC, (1401 Lavaca Street PMB 10869, Austin, TX 78701) filed a Production Authorization application on February 8, 2023, with the Southwestern Travis County Groundwater Conservation District (“District”) to withdraw up to 3,700,492 gallons of water annually from 2 Proposed Lower Trinity Wells for non-agricultural irrigation purposes. The requested permit volume is commensurate with an estimate of reasonable demand for the intended use and, upon approval would be required to comply with drought curtailments and provisions for a Non-Agricultural Operating Permit. The Proposed wells are located at 13801 Bee Cave Parkway, Austin, TX 78738 (approximate well coordinates: 30.311481°, -97.953561° (Well No. 1) and 30.312153°, -97.952981° (Well No. 2)).

The application will be reviewed by District staff to confirm that all application requirements have been met. Within 60 days of the date on which the District determines that an application is administratively complete, the District will schedule and hold a public hearing under the provisions of District Rule 6.5 to consider the application and the proposed action on the application. At least 10 days prior to the scheduled public hearing, notice will be published in a newspaper of general circulation in Travis County (e.g., Austin American Statesman), and the District will post notice on the District’s website and at the District office. Copies of the completed application will be available at the District office and on the District’s website at least 10 days before the hearing. Interested parties may submit written comments about the application to the District prior to the scheduled meeting at which the application will be considered by the Board or may attend the meeting and submit written comments or make oral comments. Parties interested in formally participating in the hearing should refer to District Rule 6.5.

For further information, please contact the District by mail at PO Box 340595, Austin, Texas 78735, by phone at (512) 286-2875, or by email at [generalmanager@swtcgcd.org](mailto:generalmanager@swtcgcd.org). You may also contact the applicant’s representative, Kyle McDaniel of JPD Backyard Finance, LLC at 512-965-7761.

Best regards,

JPD Backyard Finance, LLC

March 8, 2023

Hill Country Texas Galleria LLC  
13215 Bee Cave Pkwy  
Bee Cave, TX, 78738

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