

FOR SALE

881 Acres MOL

Crop, Pasture & Recreation Land
With Brazos River Frontage

\$4,935,000



Morgan Tindle (Agent) 254-721-9615 (mobile) 254-803-5263 (LAND)

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881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Property Highlights

Take advantage of this unique opportunity to own 881 acres MOL of farm, ranch and recreational land that fronts the Brazos River. The wildlife area is a paradise with native species including unique floral and plant matter, whitetail deer, dove, ducks, bald eagles, river fishing, etc. In addition to the improved crop and grassland, the property has 2 lakes, a creek and high quality fencing. The property has water wells and electricity. The entire property is utilized and leased for an income stream. This is a one-of-a-kind property on the Brazos River with an expansive beach area for recreation, camping, sporting and boat launching.

Improvements -Rustic home is approximately 1,800sq ft. built in 2005. Currently under lease through April 30, 2022 at \$700.00 a month with rent increases. The home interior is comprised of hardwood laminate floors and open concept. The living area is all glass and looks out into beautiful heavenly view of land, wildlife, sunsets and sunrises.

Equipment Barn with electricity and water. Can also hold hay.

Drill stem working and holding pens. These pens cannot be economically replaced with the quality and size of the drill stem. The pens were designed by Robert Thigpen in 1961 and have excellent pen division for cattle.

Work Shop with electricity and water including a built in sink.

Shed- For livestock coverage or storage with water to the shed.

1960s vintage home used for storage and can be converted to a rent house for additional income.

1960s recently remodeled home and currently leased at \$600.00 a month expiring 6/30/19.

Fencing - Entirely fenced and cross fencing. The fencing is high quality and property has substantial cross fencing. Approximately one mile of county road frontage.

Water-There are 2 ponds, approximately 1.1 miles of Brazos River frontage, and 5 water wells. The water wells are used for watering livestock and supplies water to the residential homes. The property includes 200 acre feet of adjudicated riparian water rights that have a superior date of 1925. This water right is the oldest and most superior water right in Falls County. Diversion points are registered with the TCEQ. A copy of the adjudicated document can be found in the body of this brochure.

Electricity- Navasota Valley Electric Coop services the house, water wells and main barns.

Soil- There are various soil types on the property. Please refer to the USDA Soil Map located in this brochure for soil types.

Easements- Brazos Valley Electric has an electric easement that follows the frontage road and the areas that branch to service areas within the ranch (house, barns, and water wells). Additional easements if any shall be identified by the title and survey company.

Riparian Water Rights- Seller is conveying to Buyer

Minerals- Seller is conveying all owned minerals.

Topography- The land is mostly flat with 0 to 1% slight slopes which is excellent for cultivation

Current Use- Privately owned with the cropland leased to a third party farmer with a lease expiration date of 9/30/21. Lease has Buyer termination rights tied to harvest of crop. The remainder land is used for hay and grazing for a cow/ calf operation. The pasture and recreational land is leased to a third party expiring 9/30/32 with Buyer only termination rights. Recreational use is for hunting deer, hog, and fishing. There are two Bald eagles nest on the property.

Ground Cover - Approximately 560 acres MOL in rich cultivated cropland. Approximately 250 acres MOL is in Coastal Bermuda, native grasses, and rye grass for hay and cattle grazing. The remaining 71 acres MOL is fenced off areas from the river that are reserved and used as wildlife and hunting recreational areas. Having a rare sand bar along the Brazos River also provides easy access to launch a boat and creates a good recreational area for all your family and friends to enjoy.

Price - \$4,935,000 or \$5,600 per acre

Texas Farm and Ranch Realty dba Dube's Commercial, Inc., does not make any representations or warranties expressed or implied as to the accuracy of this information. All sources are deemed reliable.



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Property Aerial View



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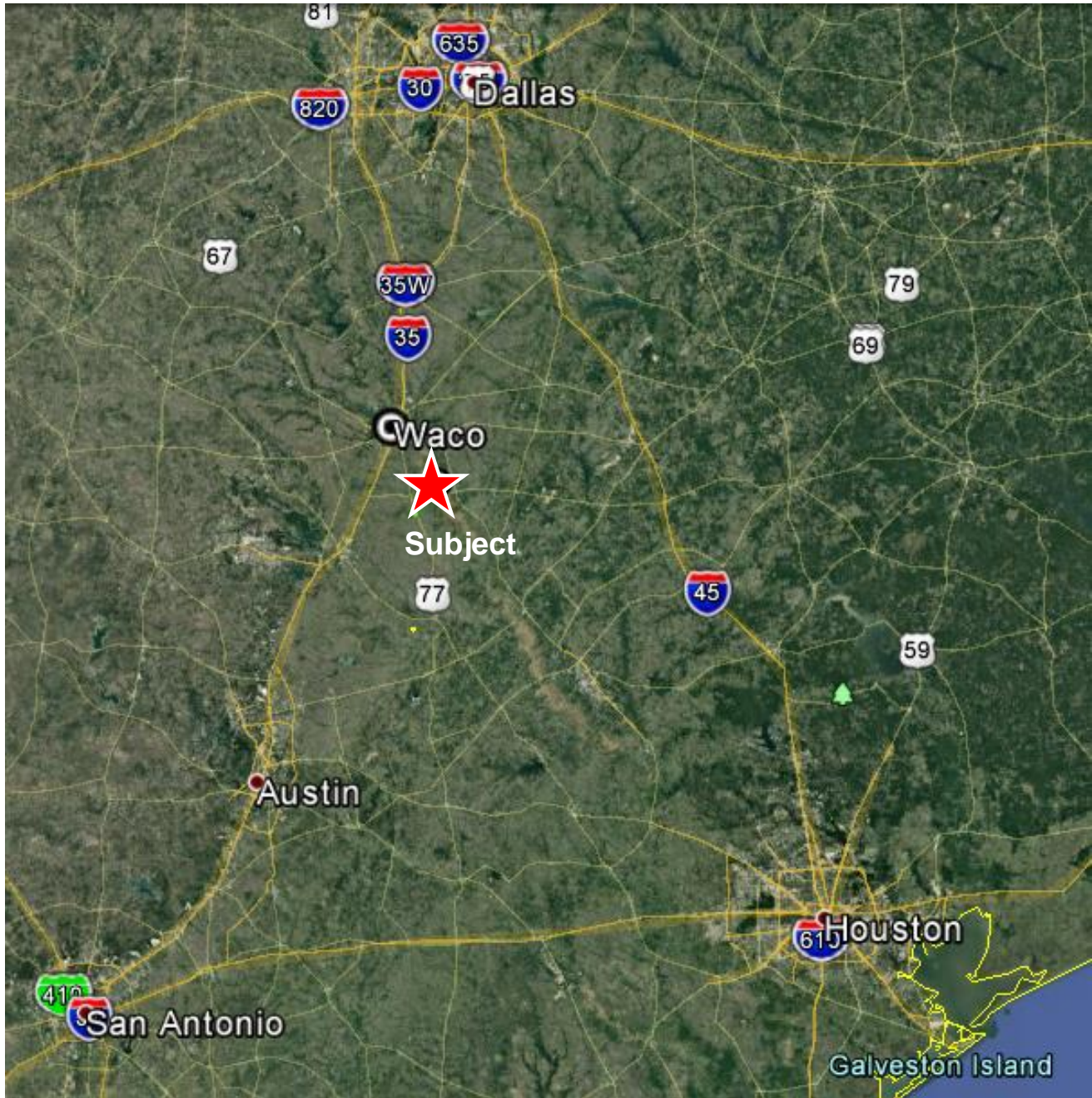
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**Property Location Relative to
DFW, Austin and Houston**



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**Approximate Locations of
Existing Water Wells**



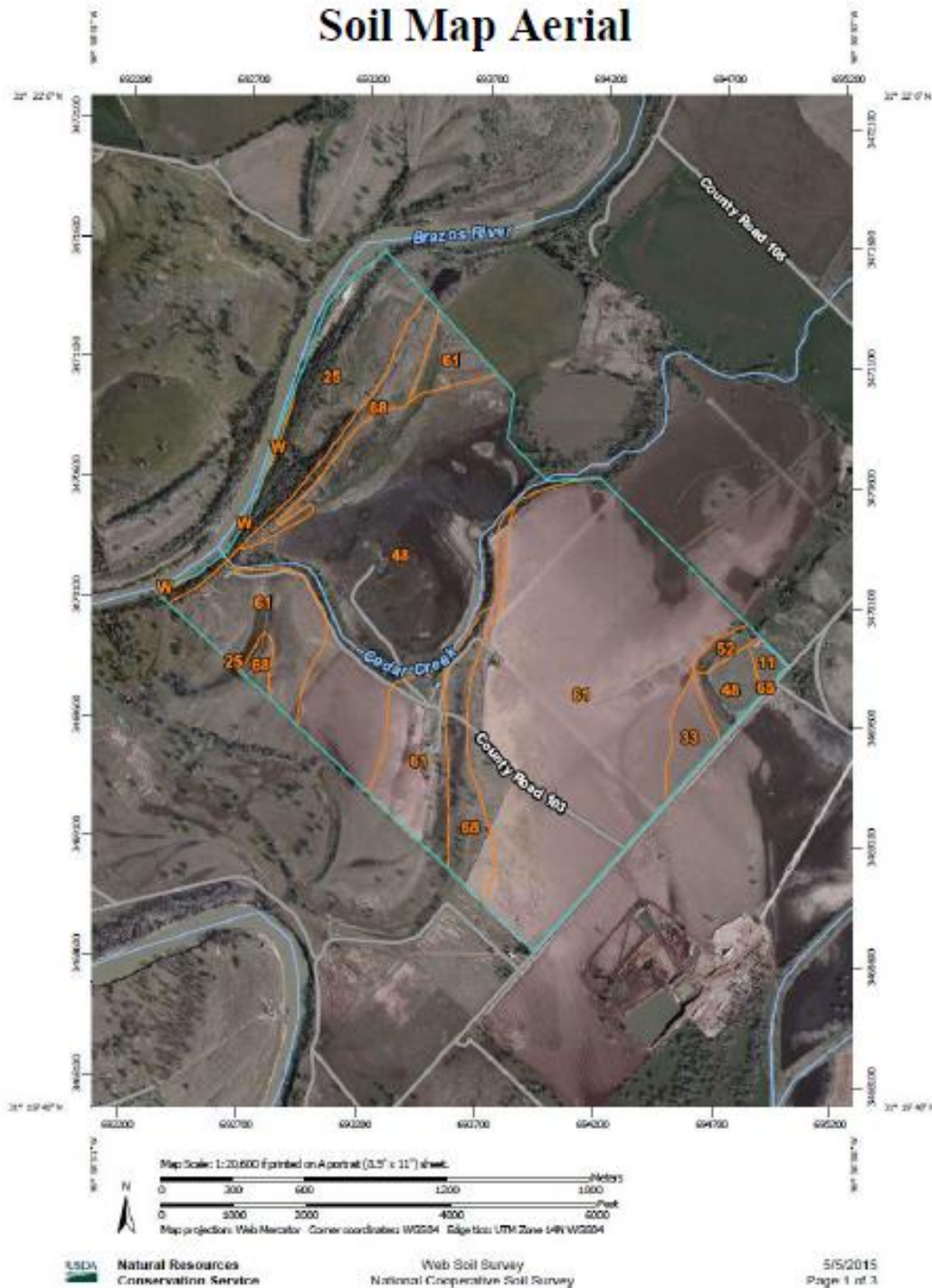
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Soil Type Legend

Falls County, Texas (TX145)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
11	Bastrop fine sandy loam, 0 to 1 percent slopes	4.6	0.5%
25	Gaddy silt loam, occasionally flooded	80.1	8.9%
33	Highbank silty clay loam	15.0	1.7%
48	Shipe clay	276.5	30.8%
52	Silawa fine sandy loam, 3 to 5 percent slopes	5.9	0.7%
61	Weswood silty clay loam, 0 to 1 percent slopes	446.9	49.7%
65	Wilson silty clay loam, 0 to 1 percent slopes	0.1	0.0%
68	Yahola fine sandy loam, occasionally flooded	68.1	7.6%
W	Water	1.5	0.2%
Totals for Area of Interest		898.7	100.0%



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Soil Type - 11

11—Bastrop fine sandy loam. This deep, well drained, nearly level soil is on low terraces just above the flood plain of the Brazos River. Slopes are convex and range from 0 to 1 percent. Areas are oval in shape and range from 15 to 75 acres in size.

This soil has a surface layer of brown, medium acid fine sandy loam about 11 inches thick. Between depths of 11 and 15 inches is reddish brown, slightly acid sandy clay loam. Between depths of 15 and 51 inches is yellowish red, slightly acid sandy clay loam. Below this layer, to a depth of 67 inches, is red, slightly acid gravelly sandy clay loam. Between depths of 67 and 75 inches is red, slightly acid very gravelly sandy clay loam. Between depths of 75 and 80 inches is red, slightly acid very gravelly loamy fine sand.

This soil has good tilth and can be worked throughout a wide range of moisture conditions. Permeability is moderate, and available water capacity is high. Roots penetrate the deep root zone. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are small areas of Silstid, Silawa, and Weswood soils. The Silawa and Silstid soils are on terraces of higher elevation, and the Weswood soils are on the flood plain. Included soils make up less than 20 percent of this map unit.

This soil has high potential for crops, and such specialty crops as watermelons and tomatoes are grown in some areas. The major objectives of management are maintaining soil tilth and fertility. Using a cropping system that includes cool-season legumes and growing crops that produce large amounts of residue help to maintain soil tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, kleingrass, and weeping lovegrass. Proper management includes weed control, fertilization with nitrogen and phosphorus, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of mid and tall grasses and an overstory of scattered post oak and blackjack oak. This soil has high potential for most urban recreation uses. It has no limitation that cannot be easily overcome. Potential for both openland and rangeland wildlife habitat is high. Capability subclass I; Sandy Loam range site.



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Soil Type - 25

25—Gaddy silt loam, occasionally flooded. This deep, somewhat excessively drained, nearly level soil is on flood plains of the Brazos River. It is flooded every 4 to 10 years for several hours. Areas are in long, narrow bands paralleling the river. Some areas have plane slopes and others are deeply channeled by drainageways. Slopes range from 0 to 1 percent. Individual areas range from 10 to about 95 acres in size.

This soil has a surface layer of light brown, moderately alkaline silt loam about 8 inches thick. Below the surface layer, to a depth of 14 inches, is stratified, light brown, moderately alkaline loamy fine sand and very pale brown, moderately alkaline silt loam. The underlying layer, to a depth of 80 inches, is pink, moderately alkaline fine sand.

This soil is easy to work throughout a wide range of moisture conditions. Permeability is moderately rapid, and the available water capacity is low. The root zone is deep and easily penetrated by roots. Runoff is slow, and the hazard of water erosion is slight.

Included with this soil in mapping are a few intermingled areas of Yahola soils and Gaddy soils that have a loamy fine sandy surface layer. The Yahola soils are at higher elevations on the flood plain. The included soils make up less than 10 percent of this unit.

This soil has medium potential for production of crops, but it is limited by a low available water capacity. Proper management includes fertilization.

This soil has medium potential for pasture. It is well suited to improved bermudagrass. Proper pasture management includes fertilization, weed control, and controlled grazing.

This soil has low potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, pecan, hackberry, elm, cottonwood, and black willow trees.

This soil has low potential for urban uses. It is limited by the danger of flooding. This limitation can be overcome only by major flood control. This soil has medium potential for recreation. Flooding is the most restrictive limitation for this use. Potential is high for openland wildlife habitat and medium for rangeland wildlife habitat. Capability subclass IIIw; Sandy Bottomland range site.



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Soil Type - 33

33—Highbank silty clay loam. This deep, well drained, nearly level soil is on high flood plains of the Brazos River. It is flooded only once every 4 to 10 years; flooding lasts for several hours. Slopes are plane and are 0 to 1 percent. Areas range from 25 to 150 acres in size.

This soil has a surface layer of reddish brown, moderately alkaline silty clay loam about 14 inches thick. Below the surface layer, to a depth of 24 inches, is reddish brown, moderately alkaline silty clay. The underlying layer, to a depth of 62 inches, is reddish brown, moderately alkaline clay.

This soil is easily worked throughout a wide range of moisture conditions. Permeability is slow, and available water capacity is high. The root zone is deep, but root penetration is slow and difficult in lower layers. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are small intermingled areas of Ships, Weswood, and Yahola soils. The included soils make up about 10 to 20 percent of this map unit.

This soil is used mainly for crops, and it has high potential for this use. The major crops are cotton and grain sorghum, but corn and small grain are also grown. The main objectives of management are maintaining tilth and fertility. Growing crops that produce large amounts of residue and growing deep-rooted legumes help maintain tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper pasture management includes fertilization, controlled grazing, and weed control.

This soil has high potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, pecan, hackberry, elm, cottonwood, and black willow trees.

This soil has low potential for urban uses because of the danger of flooding. The potential for recreation is medium. The clayey surface layer and flooding are the most restrictive limitations for this use. Potential for openland wildlife habitat is high, and potential for rangeland wildlife habitat is medium. Capability subclass IIs; Loamy Bottomland range site.



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Soil Type - 48

48—Ships clay. This deep, moderately well drained, nearly level soil is on flood plains of the Brazos River. It is rarely flooded. Areas are long and narrow. They range from 50 to about 200 acres in size. Slopes are plane and are 0 to 1 percent.

This soil has a surface layer of reddish brown, moderately alkaline clay about 34 inches thick. The subsoil, to a depth of 54 inches, is red, moderately alkaline clay. The underlying layer, to a depth of 80 inches, is reddish brown, moderately alkaline clay.

This soil is difficult to work. When wet, it is sticky; and when dry, it is extremely hard and clods when plowed. Permeability is very slow, and the available water capacity is high. The root zone is deep, but dense plowpan layers that form in cultivated areas restrict root penetration. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are small areas of Highbank, Roetex, Yahola, and Weswood soils. The Weswood and Highbank soils are intermingled. The Yahola soils are at a lower elevation on the flood plain, and the Roetex soils are in the less well drained positions. These included soils make up about 10 to 20 percent of this map unit.

This soil has high potential for production of crops. The major crops are cotton and grain sorghum, and some corn is also grown. The major objectives of management are maintaining tilth and fertility. Growing crops that produce large amounts of residue or growing deep-rooted legumes assists in maintaining the soil tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper pasture management includes fertilization, weed control, and controlled grazing.

This soil has high potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, elm, hackberry, cottonwood, and black willow trees along the stream.

This soil has low potential for urban uses. Its most restrictive limitations are flooding, shrinking and swelling with changes in moisture, corrosivity to uncoated steel, and slow percolation. The potential for recreation is low. The clayey surface layer and the very slow permeability are the most restrictive limitations for this use. Potential for openland wildlife habitat is high, and potential for rangeland wildlife habitat is medium. Capability subclass IIs; Clayey Bottomland range site.



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Soil Type - 52

52—Silawa fine sandy loam, 3 to 5 percent slopes. This deep, well drained, gently sloping soil is on ridges and side slopes. Soil areas are in long narrow bands and have convex slopes. Individual areas are about 5 to 40 acres in size.

This soil has a surface layer of fine sandy loam about 11 inches thick. This layer is dark grayish brown and slightly acid to a depth of 4 inches and brown and medium acid below. Between depths of 11 and 32 inches is yellowish red, and strongly acid sandy clay loam. Between depths of 32 and 45 inches is reddish yellow, strongly acid fine sandy loam. The underlying layer, to a depth of 80 inches, is reddish yellow, strongly acid loamy fine sand.

This soil can be worked throughout a wide range of moisture conditions. Permeability is moderate, and available water capacity is medium. The root zone is deep and easily penetrated by roots. Runoff is medium. The hazard of water erosion is moderately severe.

Included with this soil in mapping are some soils that have a gravelly sandy clay loam layer at depths of 11 to 32 inches. Also included are areas of Silawa soils that have short slopes of 5 to 7 percent and areas that have a few shallow gullies. A few intermingled areas of Silawa loamy fine sand and Axtell soils are also included. The included soils make up about 10 to 20 percent of this unit.

This soil has low potential for production of crops, but it is limited by the erosion hazard, slope, low natural fertility, and medium available water capacity. Terracing and growing crops that produce large amounts of residue help to control erosion and maintain tilth.

This soil is used mainly for pasture, and it has medium potential for this use. It is well suited to improved bermudagrass, weeping lovegrass, and kleingrass. Proper management includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a post oak and blackjack oak savannah and an understory of mid and tall grasses.

This soil has high potential for urban and recreation uses. Low strength is the most restrictive limitation for these uses. Potential for both openland and rangeland wildlife habitats is high. Capability subclass IIIe; Sandy Loam range site.



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Soil Type - 61

61—Weswood silty clay loam, 0 to 1 percent slopes. This deep, well drained, nearly level soil is on high flood plains of the Brazos River. It is subject to flooding only once in about 4 to 10 years and then only for a short duration. Slopes are plane. Areas are long and narrow, and they range from 15 to 200 acres in size.

This soil has a surface layer of reddish brown, moderately alkaline silty clay loam about 6 inches thick. The subsoil, to a depth of 18 inches, is reddish brown, moderately alkaline silty clay loam. Between depths of 18 and 38 inches is stratified reddish brown silty clay loam and yellowish red clay loam. The underlying layer, to a depth of 60 inches, is reddish brown, moderately alkaline silty clay loam and thin layers of very fine sandy loam and silt loam.

This soil is easily worked, although crusts form on the surface. Permeability is moderate, and the available water capacity is high. The root zone is deep and easily penetrated by roots. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are small intermingled areas of Weswood silt loam and Yahola soils. The included soils make up about 14 percent of this map unit.

This soil is used mainly for crops, and it has high potential for this use. The major crops are cotton and grain sorghum, but corn and small grain are also grown. The major objectives of management are maintaining tilth and fertility. Growing crops that produce large amounts of residue or growing legumes helps maintain tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper pasture management includes fertilization, weed control, and controlled grazing.

This soil has high potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, pecan, hackberry, elm, cottonwood, and black willow trees.

This soil has low potential for urban uses, because of the danger of flooding. The potential for recreation is medium. The silty clay loam surface layer is the most restrictive limitation for this use. Potential for openland wildlife habitat is high, and potential for rangeland wildlife habitat is medium. Capability class I; Loamy Bottomland range site.



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Soil Type - 65

65—Wilson silty clay loam, 0 to 1 percent slopes. This deep, somewhat poorly drained, nearly level soil is on uplands and ancient stream terraces. Slopes are plane. Areas range from 20 to 200 acres in size.

This soil has a surface layer of dark gray, mildly alkaline silty clay loam about 6 inches thick. Below the surface layer, to a depth of 25 inches, is dark gray, mildly alkaline clay. Between depths of 25 and 39 inches is gray, mildly alkaline clay. Below this layer, to a depth of 58 inches, is light gray, moderately alkaline clay that has light yellowish brown mottles. The underlying layer, to a depth of 80 inches, is light olive gray, moderately alkaline clay that has yellowish brown mottles (fig. 10).

This soil is difficult to work because of surface crusts and dense plowpan layers that form in cultivated areas. When dry, this soil is extremely hard; when wet, it is sticky and plastic. Permeability is very slow, and available water capacity is high. The root zone is deep, but root penetration is slow and difficult in the underlying layers. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are a few intermingled areas of Burleson, Crockett, and Normangee soils. The included soils make up about 10 to 20 percent of this map unit.

This soil has medium potential for production of crops. The major crops are grain sorghum, cotton, hay, and some small grain for winter grazing. The objectives of management are improving tilth and maintaining fertility. Growing crops that produce large amounts of residue and legumes helps maintain tilth.

This soil has medium potential for pasture. It is well suited to coastal bermudagrass, King Ranch bluestem, and weeping lovegrass. Pasture management needed includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of a few live oak, elm, and hackberry trees along streams and in occasional motts.

This soil has low potential for most urban uses. Its most restrictive limitation is shrinking and swelling with changes in moisture, occasional wetness, low strength, corrosivity to uncoated steel, and slow percolation. The potential for recreation is medium. Wetness and the very slow permeability are the most restrictive limitations for this use. Potential for both openland and rangeland wildlife habitat is medium. Capability subclass IIIw; Claypan Prairie range site.



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**FOR
SALE**

881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Soil Type - 68

68—Yahola fine sandy loam, occasionally flooded. This deep, well drained, nearly level soil is on flood plains of the Brazos River. It is flooded only once every 4 to 10 years; flooding lasts for several hours. Slopes are 0 to 1 percent and plane. Areas are long, narrow bands paralleling the river. Some areas are smooth, and others are channeled by shallow drainageways. These areas range from 10 to 110 acres in size.

This soil has a surface layer of reddish brown, moderately alkaline fine sandy loam about 10 inches thick. Below the surface layer, to a depth of 37 inches, is reddish yellow, moderately alkaline fine sandy loam. Between depths of 37 and 58 inches is reddish brown, moderately alkaline loam. The underlying layer, to a depth of 80 inches, is yellowish red, moderately alkaline fine sandy loam and thin strata of loamy fine sand and clay loam.

This soil is easily worked, although crusts form on the surface. Permeability is moderately rapid, and the available water capacity is medium. The root zone is deep and easily penetrated by roots. Runoff is slow. The hazard of water erosion is slight.

Included with this soil in mapping are small areas of Weswood and Gaddy soils. The Weswood soils are at higher elevations on the flood plain, and the Gaddy soils are parallel to the stream channel. The included soils make up 10 percent of this map unit.

This soil is used mainly for crops, and it has high potential for this use. The major crops are cotton and grain sorghum, but corn and small grain are also grown. The major objectives of management are maintaining fertility and improving tilth. Growing crops that produce large amounts of residue or growing legumes helps to maintain tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper pasture management includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, pecan, hackberry, elm, cottonwood, and black willow trees.

This soil has low potential for urban uses. It is limited by the danger of flooding. The potential for recreation is medium. Flooding is the most restrictive limitation for this use. Potential for both openland and rangeland wildlife habitat is high. Capability subclass IIw; Loamy Bottomland range site.



—“Stewards of Land”
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FOR
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Adjudicated Water Rights

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 13, 2009

Mr. Robert T. Dube
Managing Manager
Marlin Farm L.P.
237 CR 103
Marlin, Texas 76661

Re: Certificate of Adjudication No. 12-4346
Use of 200.00 acre-feet of water per annum from the Brazos River for irrigation of 100.00 acres out of 167 acre-tract located in the George A. Morgan Grant, Abstract 45; and the J. A. Manchaca Grant, Abstract 33, Falls County, Texas

Dear Mr. Dube:

Thank you for the copy of the Filing of Marlin Farm L.P., dated July 23, 2004, and other documents enclosed with your letter dated September 14, 2009. Based on this document, together with those previously submitted to us, we are changing our records to reflect Marlin Farm L.P., a Texas limited partnership, as the sole owner of the referenced certificate of adjudication.

Please keep in mind that Marlin Farm L.P.'s water rights under this certificate of adjudication (200.00 acre-feet of water per annum from the Brazos River for irrigation of 100.00 acres) are appurtenant to the entire 167.00 acre-portion of its 902.90 acre-tract, which tract was also described as having been made up of 603.45, 163.50 and 50.00 acre-tracts. As such, a conveyance of any portion of these 167.00 acres by Marlin Farm L.P., in the future, will automatically carry a proportionate share of the water rights to the new owner unless it specifies otherwise in the conveyance.

If we can be of any assistance in the future, please do not hesitate to contact us.

Very truly yours,

Mohan A. Reddy
Water Rights Permitting & Availability Section--MC 160--(Please use this code as part of my address)
Water Supply Division
512/239-4611

P.O. Box 13087 Austin, Texas 78711-3087 512-239-1000 Internet address: www.tceq.state.tx.us



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FOR
SALE

881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Adjudicated Water Rights

02/03/89 15:10

512 239 4770

TNRCC FLOOD, MGMT

002/003

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 12-4346 OWNER: W. J. Dube
5614 2nd Street
Katy, Texas 77450

COUNTY: Falls PRIORITY DATE: August 28, 1925

WATERCOURSE: Brazos River BASIN: Brazos River

WHEREAS, by final decree of the 20th Judicial District Court of Milam County, in Cause No. 20,266, In Re: The Adjudication of Water Rights in the Brazos III River Segment of the Brazos River Basin dated November 7, 1985, a right was recognized under Permit 904 authorizing W. J. Dube to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Brazos River Basin is issued to W. J. Dube, subject to the following terms and conditions:

1. USE

Owner is authorized to divert and use not to exceed 200 acre-feet of water per annum from the Brazos River to irrigate a maximum of 100 acres of land out of a 167 acre tract located in the George A. Morgan Grant, Abstract 45 and the J. A. Manchaca Grant, Abstract 33, Falls County, Texas, said 167 acre tract being described as follows:

- (1) BEGINNING at a point that bears N 43°E, 15,110.0 feet and N 47°W, 1444.0 feet from the southwest corner of said Morgan Grant;
- (2) THENCE N 47°W, 3977.0 feet to a corner;
- (3) THENCE N 44°E, 483.0 feet to a corner;
- (4) THENCE N 04°E, 1166.0 feet to the bank of the old Brazos River;
- (5) THENCE S 82°E, 555.0 feet to a corner;
- (6) THENCE S 40°30'E, 1055.0 feet to a corner;
- (7) THENCE N 84°E, 311.0 feet to a corner;
- (8) THENCE N 78°30'E, 1000.0 feet to a corner;
- (9) THENCE S 45°E, 500.0 feet to a corner;
- (10) THENCE S 07°W, 3267.0 feet to the place of beginning.

2. DIVERSION

- A. Location
At two points on the Brazos River in the George A. Morgan Grant, Abstract 45, Falls County, Texas.
- B. Maximum combined rate: 1.33 cfs (600 gpm).

3. PRIORITY

The time priority of owner's right is August 28, 1925.

4. SPECIAL CONDITION

The amount of water which the owner is authorized to divert and use in any one year shall not exceed two acre-feet on any acre of land actually irrigated.



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FOR
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881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Adjudicated Water Rights

02/05/98 15:11 512 239 4770

TNRCC FLOOD MGMT

003/003

Certificate of Adjudication 4346

The locations of pertinent features related to this certificate are shown on Page 5 of the Brazos III River Segment Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Water Commission, Austin, Texas and the Falls County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 20th Judicial District Court of Milam County, Texas, in Cause No. 20,266, In Re: The Adjudication of Water Rights in the Brazos III River Segment of the Brazos River Basin dated November 7, 1985 and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Brazos River Basin.

This certificate of adjudication is issued subject to the Rules of the Texas Water Commission and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

This water right is appurtenant to and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the land described includes, unless otherwise specified, a proportionate amount of the water right owned by the owner or seller at the time of the transaction.

TEXAS WATER COMMISSION

Paul Hopkins
Paul Hopkins, Chairman

DATE ISSUED:

JUN 10 1998

ATTEST:

Mary Ann Heffer
Mary Ann Heffer, Chief Clerk



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FOR
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Adjudicated Water Rights

PERMIT
TO
APPROPRIATE PUBLIC WATERS
OF THE
STATE OF TEXAS

NO. 904

WHEREAS, W. D. KYBER,
the postoffice address of WIDEN is Marlin, Texas,
did on the 28th day of August, A. D. 1925, file with the Board of Water Engineers
for the State of Texas, his application, No. 973, for a permit to appropriate from the public re-
sources of the State of Texas sufficient water for the purpose of irrigation, and

WHEREAS, the Board of Water Engineers did on the 28th day of September,
A. D. 1925, at its office in Austin, Texas, hold a public hearing, as prescribed by law, at which hearing all
the evidence affecting said application was duly heard and considered, and in pursuance thereof did make and
cause to be entered an order granting said application.

NOW, THEREFORE, the Board of Water Engineers for the State of Texas, does by these presents
GRANT THIS PERMIT subject to all prior rights of other users from the same source of supply, unto the
said W. D. KYBER.

to DIVERT, appropriate and use from the source of supply hereinafter named, and by the means hereinafter
described, an amount of the public waters of the state, to consist of the unappropriated waters
of the Brazos River, in Falls County, Texas,

not to exceed 334 acre-feet of water per annum, the rate of diversion not to exceed six cubic
feet per second of time, or so much thereof as may be necessary, when beneficially used, for the PURPOSE of
irrigating the following described lands, to wit:

Beginning on the E. bank of the Brazos River at S. or lower
of George Morgan league; thence with the S. E. line of said Morgan
League No. 42 E. 15011 feet to the E. corner of what is locally known
as the W. S. Lenoir tract; thence N. 47 W. 1444 feet to a point for the
beginning of this tract; thence N. 47 W. 2975 feet to corner; thence N. 43
E. 485 feet; thence S. 4 E. 1166 feet to the bank of the river; thence
S. 82 E. 505 feet to corner; thence S. 40-1/2 E. 1055 feet; thence S.
84 E. 111 feet to the point located for the pumping station; thence N.
78-1/2 E. 2000 feet; thence S. 45 E. 500 feet; thence S. 7 W. 3267
feet to place of beginning, containing 187 acres of land.

FILE COPY
STATE BOARD OF WATER ENGINEERS
AUG 28 1925
5000 W. WACO AVENUE WACO TEXAS

TEXAS
FARM & RANCH REALTY

"Stewards of Land"
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881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Adjudicated Water Rights

PROVIDED, that the said J. B. KXBER,

the beneficiary under this permit, is authorized to install a pumping plant, said pumping plant to consist of a six inch Fairbanks Morse Centrifugal pump, operated by a Fordson Tractor, 22 H. P. having a height of lift of thirty (30) feet; the said pumping plant to be located at a point which bears 15011' N. 43 E. 1444' N. 47 W. 2267 H. 7 E. 500 N. 46 W. 1000 S. 78-1/2 E W. from the S. or lower corner of Geo. Morgan Survey, in Falls County, Texas, and is distant in a Northwesterly direction from Berlin, Texas, six miles, and to divert therewith not to exceed three hundred thirty-four acre feet of water per annum for the irrigation of not to exceed one hundred sixty-seven (167) acres of land hereinafore described.

PROVIDED, that the amount of water which the said grantee is permitted to divert and appropriate in any one year shall be restricted to two (2) acre-feet per acre for each acre actually irrigated within the limitation of the 167 acres of land hereinafore described.

The measurement of the water herein permitted to be used is to be made at the point of diversion herein before described.

Provided, that the above allowance as to quantity is based upon the beneficial use of 884 acre-feet of water per annum, and is made with the express proviso that the amount of water which the said appropriator is permitted to divert and appropriate from the unappropriated waters, of the Brazos River in Falls County, Texas, shall be available at the point of diversion from the said source of supply by the process of pumping only, and the right herein granted does not, and shall not, extend to any of the waters of the said Brazos River at any point, or points, other than at the point herein described, and for the specific purposes herein stated.

This permit is granted with the express proviso that the grantee, his heirs or assigns, or any beneficiary hereinafter, shall comply with all the rules and regulations of the Board of Water Engineers formulated by it in pursuance of the authority given in the General Irrigation Act of this State, by virtue of which this Board was created.

Unless otherwise ordered by the Board construction work on the herein described works must begin within ninety (90) days, and must be completed within twelve (12) months from the date hereof.

Given under the hand and seal of the Board of Water Engineers for the State of Texas, this the 1st day of November A. D. 1926.

ATTEST:

A. M. McDonald
Secretary.

J. B. KXBER
Boyd Black
A. H. Douglas
BOARD OF WATER ENGINEERS.

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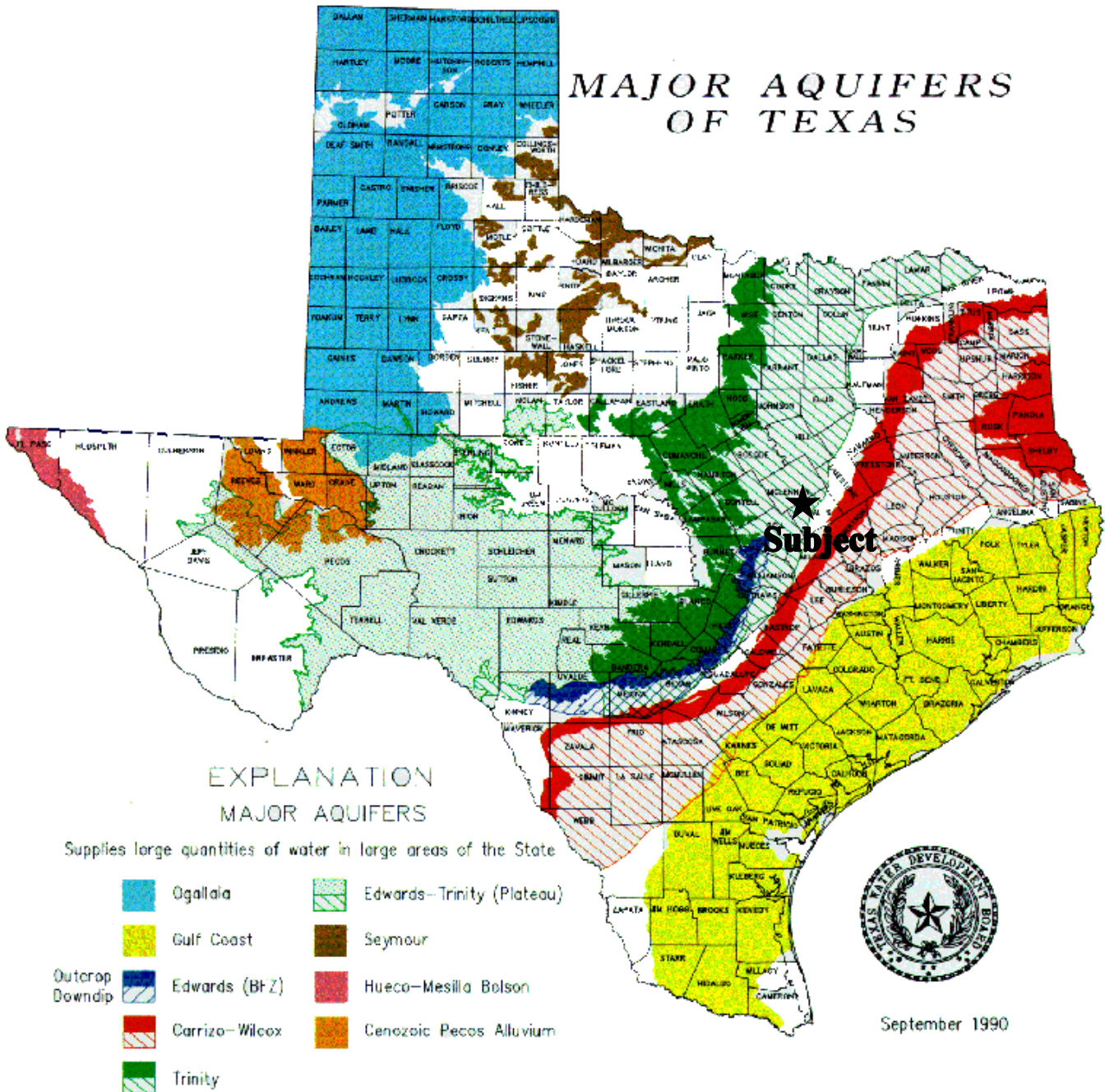
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**FOR
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881 Acres MOL – Crop, Pasture and Recreation Land With Brazos River Frontage Waco Area, Falls County, TX 76661

Property Location to Major Aquifers of Texas



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TEXAS
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With Brazos River Frontage
Waco Area, Falls County, TX 76661**

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**THE TEXAS REAL ESTATE COMMISSION (TREC) REGULATES
REAL ESTATE BROKERS AND SALES AGENTS, REAL ESTATE INSPECTORS,
HOME WARRANTY COMPANIES, EASEMENT AND RIGHT-OF-WAY AGENTS
AND TIMESHARE INTEREST PROVIDERS**

**YOU CAN FIND MORE INFORMATION AND
CHECK THE STATUS OF A LICENSE HOLDER AT
WWW.TREC.TEXAS.GOV**

**YOU CAN SEND A COMPLAINT AGAINST A LICENSE HOLDER TO TREC
A COMPLAINT FORM IS AVAILABLE ON THE TREC WEBSITE**

**TREC ADMINISTERS TWO RECOVERY FUNDS WHICH MAY BE USED TO
SATISFY A CIVIL COURT JUDGMENT AGAINST A BROKER, SALES AGENT,
REAL ESTATE INSPECTOR, OR EASEMENT OR RIGHT-OF-WAY AGENT,
IF CERTAIN REQUIREMENTS ARE MET**

**IF YOU HAVE QUESTIONS OR ISSUES ABOUT THE ACTIVITIES OF
A LICENSE HOLDER, THE COMPLAINT PROCESS OR THE
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**TEXAS REAL ESTATE COMMISSION
P.O. BOX 12188
AUSTIN, TEXAS 78711-2188
(512) 936-3000**



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Information About Brokerage Services

11-2-2015

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Buyers who are represented by an agent/broker must have their agent/broker actively involved and present at all showings to participate in any co-broker commissions.

<u>Dube's Commercial, Inc.</u> Licensed Broker/Broker Firm Name or Primary Assumed Business Name	<u>484723</u> License No.	<u>bob@dubescmercial.com</u> Email	<u>(512) 671-8008</u> Phone
<u>Robert T. Dube</u> Designated Broker of Firm	<u>365515</u> License No.	<u>bob@dubescmercial.com</u> Email	<u>(512) 671-8008</u> Phone
<u>Robert T. Dube</u> Licensed Supervisor of Sales Agent/ Associate	<u>365515</u> License No.	<u>bob@dubescmercial.com</u> Email	<u>(284) 803-5263</u> Phone
<u>Morgan Tindle</u> Sales Agent/Associate's Name	<u>644820</u> License No.	<u>morgan@texasfarmandranchrealt y.com</u> Email	<u>(254) 803-5263</u> Phone

Buyer/Tenant/Seller/Landlord Initials

Date

Regulated by the Texas Real Estate Commission

Information available at www.trec.texas.gov

TAR 2501

IABS 1-0

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Robert Dube

Phone: (512)423-6670

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Info about Bro

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