

THE STATE OF TEXAS

IN THE COMMISSIONERS COURT

JULY TERM, 2013

COUNTY OF MONTAGUE

REGULAR SESSION

BE IT REMEMBERED, That on this 8th day of ^{July} ~~June~~ 2013, Commissioners Court of Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington	County Judge	Herman Conway	Commissioner Precinct 1
James Gamblin	Commissioner Precinct 2	Mark Murphy	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

The meeting was called to order by Judge Sappington at 9:00 a.m.
Pledge of Allegiance and Pledge to the Texas Flag was led by Judge Sappington.

#13-227- APPROVAL OF MINUTES

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to approve minutes for the June 24th, 2013 meeting.

All Voted For
Motion Carried

#13-228-APPROVE MONTHLY REPORTS

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve the monthly reports: Cash Journal, Payroll Report, Indigent Health Care, R&B 1, R&B 2, R&B 3, R&B 4, Constable 1 Fees, Constable 2 Fees, Journal Entries, and Budget Adjustments. Report Audits: District Clerk Fees, Ad Valorem, County Clerk Fees, JP 1, and JP 2.

All Voted For
Motion Carried

#13-229-PAY CLAIMS

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to pay the claims as presented in court.

All Voted For
Motion Carried

#13-230-RANDY DUCKWORTH, MONTAGUE COUNTY VETERAN'S SERVICE OFFICER TO UPDATE COMMISSIONERS COURT OF THE RECENT ACTIVITY IN THE VETERAN'S OFFICE

The Veteran's Officer updated the Court.

Not Action Taken

#13-231-DISCUSS, CONSIDER AND AUTHORIZE SHERIFF CUNNINGHAM TO SIGN CONTRACT WITH SWANSON SERVICES

Motion by Commissioner Murphey and seconded by Commissioner Langford to allow Sheriff Cunningham to sign a contract with Swanson Services for inmate commissary, at no cost to the County.

All Voted For
Motion Carried

#13-232-DISCUSS AND CONSIDER PROVIDING PRECINCTS WITH A CREDIT CARD

JULY TERM, 2013

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REGULAR SESSION

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Tommie Sappington	County Judge	Herman Conway	Commissioner Precinct 1
James Gamblin	Commissioner Precinct 2	Mark Murphy	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

Motion by Commissioner Murphey and seconded by Commissioner Gamblin approve each precinct the opportunity to possess a credit card, the limit set to \$2500 set by the Court.

All Voted For
Motion Carried

#13-233-DISCUSS AND CONSIDER PCT # 2 ACCEPTING DONATIONS FOR ROAD IMPROVEMENTS FROM SILVER LAKES HOME OWNERS ASSOCIATION

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to approve the donation from Silver Lakes Home Owners Association in the amount of \$3,600.00 for road improvements

All Voted For
Motion Carried

#13-234-DISCUSS AND CONSIDER BUDGET ADJUSTMENTS FROM CONTINGENCY LAND TO COURTHOUSE MAINTENANCE

Motion by Judge Sappington and seconded by Commissioner Langford to approve the budget adjustment moving \$75,000.00 from contingency land line item to courthouse maintenance line item.

All Voted For
Motion Carried

#13-235-DISCUSS CONSIDER AND AUTHORIZING JUDGE SAPPINGTON TO SIGN MEMORANDUM OF AGREEMENT FOR HELEN FARABEE CENTERS FOR SUPPORT OF BEHAVIORAL HEALTH SERVICES

Motion by Commissioner Langford and seconded by Commissioner Murphey to authorize Judge Sappington to sign the memorandum of agreement for the Helen Farabee Center for support of Behavioral Health Services.

All Voted For
Motion Carried

#13-236-DISCUSS AND CONSIDER REAPPOINTMENT OF VERNER HAYHURST TO THE HELEN FARABEE CENTERS BOARD OF TRUSTEES

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve the reappointment of Verner Hayhurst to the Helen Farabee Centers Board of Trustees.

All Voted For
Motion Carried

THE STATE OF TEXAS

IN THE COMMISSIONERS COURT

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James Gamblin	Commissioner Precinct 2	Mark Murphy	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

#13-237-DISCUSS CONSIDER AND AUTHORIZE JUDGE SAPPINGTON TO SIGN A LETTER OF UNDERSTANDING WITH EDGIN, PARKMAN, FLEMING & FLEMING, PC FOR OUTSIDE AUDITOR SERVICES FOR THE YEAR ENDING SEPTEMBER 30, 2013

Motion by Commissioner Langford and seconded by Commissioner Murphey to authorize Judge Sappington to sign a letter of understanding with Edgin, Parkman, Fleming & Fleming for outside auditor services for the year ending September 30, 2013.

All Voted For
Motion Carried

#13-238-DISCUSS, CONSIDER AND AUTHORIZE JUDGE SAPPINGTON TO SIGN ANY AND ALL DOCUMENTS PERTAINING TO THE SETTLEMENT IN MONTAGUE COUNTY AND SHERIFF DEPUTY FRED A. CASTLE v CTC TRANSPORTATION INC., PHILLIP MICHAEL HARGROVE, DAN CLARK FAMILY, LP- AND KC PARTNERS, AS RECOMMENDED BY WILLIAM W. KRUEGER, III, ATTORNEY FOR MONTAGUE COUNTY AND SHERIFF DEPUTY FRED A. CASTLE

Motion by Commissioner Langford and seconded by Commissioner Murphey to approve (along by TAC) the reached settlement in the amount of \$6,000.00 for the Sheriff's Office patrol car, giving Judge Sappington authority to sign any need paperwork.

Commissioner Gamblin
Commissioner Murphey
Commissioner Langford
Voted For

Commissioner Conway did not vote
Motion Carried

#13-239-PRESENTATION OF THE DISTINGUISHED SERVICE AWARD CERTIFICATE TO THE MONTAGUE COUNTY HISTORICAL COMMISSION

Motion by Judge Sappington and seconded by Commissioner Langford to table this item until the next agenda meeting.

All Voted For
Motion Carried

#13-240-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES, INC. TO APPROVE TEMPORARY ROAD CROSSINGS ON APPLGATE ROAD, TAGE ROAD AND ROCKY ROAD IN PCT. # 2.

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to allow EOG to cross Applegate, Tage and Rocky Roads in Pct. # 2.

JULY TERM, 2013

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Tommie Sappington	County Judge	Herman Conway	Commissioner Precinct 1
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Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

All Voted For
Motion Carried

#13-241-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES, INC. TO APPROVE TEMPORARY 10" ALUMINUM FRAC LINES ON JACKSON ROAD, APPLGATE ROAD AND WENDELS ROAD IN PCT # 2.

Motion by Commissioner Gamblin and seconded by Commissioner Murphey to allow EOG to lay temporary 10" frac lines on Jackson, Applegate and Wendels Road in Pct. # 2.

All Voted For
Motion Carried

#13-242-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES, INC., TO APPROVE TEMPORARY ROAD CROSSING ON APPLGATE ROAD IN PCT. # 3.

Motion by Commissioner Murphey and seconded by Commissioner Langford to allow EOG to cross Applegate Road in Pct. # 3.

All Voted For
Motion Carried

#13-243-DISCUSS AND CONSIDER REQUEST OF PIONEER NATURAL RESOURCES, USA TO APPROVE ROAD CROSSINGS ON BELKNAP CREEK ROAD AND CAMPBELL ROAD IN PCT. # 3.

Motion by Commissioner Murphey and seconded by Commissioner Langford to allow Pioneer Natural Resources to cross Belknap Creek and Campbell Roads in Pct. # 3.

All Voted For
Motion Carried

#13-244-BUDGET HEARINGS

No Action Taken

Meeting Adjourned

July 8, 2013

Reports

Cash Journal
Payroll Report
Indigent Health Care
R&B 1
R&B 2
R&B 3
R&B 4
Constable 1 Fees
Constable 2 Fees
Journal Entries
Budget Adjustments

Report Audits

District Clerk Fees
Ad Valorem
County Clerk Fees
JP 1
JP 2

CASH JOURNAL FOR JUNE 2013														
GENERAL	INDIG HC	GROUP INS	EMP BEN	REC MGMT	CRTH SEC	BVS	DC REC	REC PRES	R&B 1	R&B 2	R&B 3	R&B 4		
10	12	13	14	15	16	17	PRES 18	19	21	22	23	24		
BAL FWD	5,441,562.35	470,493.45	31,480.64	0.00	184,294.17	184,503.55	9,111.25	12,548.14	90,603.05	573,296.92	441,634.92	587,887.65	445,584.08	
TRANSFERS														
REVENUES	174,739.49	3,316.10	0.29		7,286.68	2,754.17	91.08	270.11	865.82	20,152.65	32,873.45	30,447.80	20,151.50	
PAYROLL	303,365.80				1,614.75					23,420.26	23,283.43	22,050.46	22,959.48	
BILLS	341,899.75	2,708.88	2,500.00		3,296.00	2,203.30	400.00			8,507.14	23,905.52	21,459.95	15,544.79	
BALANCE	4,971,036.29	471,100.67	28,980.93	0.00	186,670.10	185,054.42	8,802.33	12,818.25	91,468.87	561,522.17	427,319.42	574,825.04	427,231.31	
CKING ACCT	4,971,036.29	471,100.67	28,980.93		186,670.10	185,054.42	8,802.33	12,818.25	91,468.87	561,522.17	427,319.42	574,825.04	427,231.31	
TEXPOOL	0.00	0.00			0.00	0.00			0.00	0.00	0.00	0.00	0.00	
BAL FWD	4,971,036.29	471,100.67	28,980.93	0.00	186,670.10	185,054.42	8,802.33	12,818.25	91,468.87	561,522.17	427,319.42	574,825.04	427,231.31	
MO CO LEAD	NORTEX	CA FORF	VIT	SO FORF	DA FORF	PEND FORF	CA HOT CK	DA STATE	DA SEIZURE	DA HOT CK	ESTRAY	PROBATION		
26	GRANT 29	30	31	32	33	34	35	36	37	38	39	40		
BAL FWD	5,294.42	2,348.04	2,336.01	1,530.72	117.43	158,999.19	87,204.34	14,498.97	7,437.54	0.00	6,276.97	2,355.42	29,281.16	
TRANSFERS														
REVENUES	350.00			0.01		27,944.88	8,794.10	456.84				0.02	0.27	
PAYROLL						6,376.37		640.10	3,277.92					
BILLS	777.37					9,954.15	47,147.14	127.68		4,200.00	220.00			
BALANCE	4,867.05	2,348.04	2,336.01	1,530.73	117.43	170,613.55	48,851.30	14,188.03	4,159.62	0.00	2,076.97	2,135.44	29,281.43	
CKING ACCT	4,867.05	2,348.04	2,336.01	1,530.73	117.43	170,613.55	48,851.30	14,188.03	4,159.62		2,076.97	2,135.44	29,281.43	
TEXPOOL													0.00	
BAL FWD	4,867.05	2,348.04	2,336.01	1,530.73	117.43	170,613.55	48,851.30	14,188.03	4,159.62	0.00	2,076.97	2,135.44	29,281.43	
SP PROB	JUV PROB	CO JUV	DET DIV	IV-E	CCP	JUV CC	JUV PROB F	LIVESTOCK	GRANT H	GRANT C	CRHS DOME	HIST COMM		
41	42	43	44	45	47	48	49	51	52	53	54	55		
BAL FWD	279,059.83	3,293.19	185,649.19	0.00	82,023.77	-23,622.22	0.00	0.00	10,013.13	0.00	-2,901.00	29,415.10	14,316.37	
TRANSFERS														
REVENUES	67,088.54	21,574.00	13,668.19		0.75	14,627.00		0.09		1,451.00	175.27	525.13		
PAYROLL	31,776.48		19,933.62			4,112.74								
BILLS	2,812.94	15,614.98	2,444.20			35.96							511.76	
BALANCE	311,558.95	9,252.21	176,939.56	0.00	82,024.52	-13,143.92	0.00	0.00	10,013.22	0.00	-1,450.00	29,590.37	14,329.74	
CKING ACCT	311,558.95	9,252.21	176,939.56	0.00	82,024.52	-13,143.92	0.00	0.00	10,013.22	0.00	-1,450.00	29,590.37	14,329.74	
TEXPOOL	0.00		0.00		0.00								0.00	
BAL FWD	311,558.95	9,252.21	176,939.56	0.00	82,024.52	-13,143.92	0.00	0.00	10,013.22	0.00	-1,450.00	29,590.37	14,329.74	
JP CRTH	GRANT X	JAIL SF	ANNEX SF	ANNEX CON	FM-ROW	3-4 OPR	CONST 1	CONST 2	SO LEOSE	DA LEOSE	CO CLERK	DIST CLERK		
SEC 56	59	60	61	62	70	75	LEOSE 81	LEOSE 82	83	84	ARCHIVE 85	ARCHIVE 86		
BAL FWD	10,697.99	0.00	51,204.26	1,957.14	113,989.85	68,021.40	753,146.76	78.22	1,265.22	766.96	682.40	127,286.10	5,680.00	
TRANSFERS														
REVENUES	61.00		3,543.56	0.02		157.88	6.85					7,275.00	245.00	
PAYROLL														
BILLS														
BALANCE	10,758.99	0.00	54,747.82	1,957.16	113,989.85	68,179.28	753,153.61	78.22	1,265.22	766.96	682.40	134,561.10	5,925.00	
CKING ACCT	10,758.99	0.00	54,747.82	1,957.16	113,989.85	68,179.28	753,153.61	78.22	1,265.22	766.96	682.40	134,561.10	5,925.00	
TEXPOOL					0.00									
BAL FWD	10,758.99	0.00	54,747.82	1,957.16	113,989.85	68,179.28	753,153.61	78.22	1,265.22	766.96	682.40	134,561.10	5,925.00	
CO CLERK	DIST CLERK	JP TECH	STATE FEES										TOTALS	
TECH 87	TECH 89	90	92											
BAL FWD	885.40	8,306.34	28,478.87	87,932.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,628,307.40	
TRANSFERS													0.00	
REVENUES	25.01	486.02	986.84	31,169.79									493,562.20	
PAYROLL													462,811.41	
BILLS			1,318.13	67.71									507,657.35	
BALANCE	910.41	8,792.36	28,147.58	119,034.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,151,400.84	
CKING ACCT	910.41	8,792.36	28,147.58	119,034.83									10,151,400.84	
TEXPOOL													0.00	
BAL FWD	910.41	8,792.36	28,147.58	119,034.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,151,400.84	

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0000077624	SAPPINGTON, TOMMIE	C	06-05-2013	06-05-2013	1,307.57
0000077625	STOUT, VALORIE S	C	06-05-2013	06-05-2013	1,143.47
0000077626	SAPPINGTON, TOMMIE	C	06-05-2013	06-05-2013	492.40
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0000077628	BURLESON, LINDA K.	C	06-05-2013	06-05-2013	699.24
0000077629	SANDERS, BETTY J	C	06-05-2013	06-05-2013	1,143.14
0000077630	BROWN, TAMELA	C	06-05-2013	06-05-2013	964.49
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0000077632	DARDEN, LESIA J	C	06-05-2013	06-05-2013	1,083.96
0000077633	HEAD, PATRICIA	C	06-05-2013	06-05-2013	378.84
0000077634	REED, RITA K	C	06-05-2013	06-05-2013	642.58
0000077635	ALLEN, DAVID	C	06-05-2013	06-05-2013	1,320.85
0000077636	WEAVER, ARACELY	C	06-05-2013	06-05-2013	1,007.77
0000077637	CROUCH, BARBARA L	C	06-05-2013	06-05-2013	1,020.27
0000077638	REYNOLDS, KAREN LYNNE	C	06-05-2013	06-05-2013	1,294.69
0000077639	WOOD, DOROTHY L	C	06-05-2013	06-05-2013	441.96
0000077640	EDGETT, CARLA K	C	06-05-2013	06-05-2013	1,186.37
0000077641	RIDDLE, CLABURN	C	06-05-2013	06-05-2013	683.88
0000077642	CROMARTIE, DIANE G	C	06-05-2013	06-05-2013	207.36
0000077643	CROMARTIE, DIANE G	C	06-05-2013	06-05-2013	943.71
0000077644	RIDDLE, CLABURN	C	06-05-2013	06-05-2013	1,566.89
0000077645	GAUMONT, SHANNON	C	06-05-2013	06-05-2013	1,043.37
0000077646	HENRY, KEVIN	C	06-05-2013	06-05-2013	3,032.94
0000077647	HUGHES, CHRISTOPHER B	C	06-05-2013	06-05-2013	1,127.58
0000077648	SHORT, ANGELA M	C	06-05-2013	06-05-2013	1,199.73
0000077649	SHIPMAN, BRANDI A	C	06-05-2013	06-05-2013	1,200.47
0000077650	ESSARY, JENNIFER E	C	06-05-2013	06-05-2013	2,063.18
0000077651	LANGFORD, LAVONDA J	C	06-05-2013	06-05-2013	1,109.94
0000077652	MCGAUGHEY, LINDA	C	06-05-2013	06-05-2013	1,367.55
0000077653	DOSHIER, BRENDA S	C	06-05-2013	06-05-2013	827.45
0000077654	NOWELL, SYDNEY L	C	06-05-2013	06-05-2013	1,336.82
0000077655	VACCARO, LISA M	C	06-05-2013	06-05-2013	967.91
0000077656	WALL, GINGER A	C	06-05-2013	06-05-2013	1,000.27
0000077657	YARBROUGH, LAJUANA K	C	06-05-2013	06-05-2013	1,091.88
0000077658	KARAGINES, PETER	C	06-05-2013	06-05-2013	1,030.53
0000077659	MARSHALL, LARRY G	C	06-05-2013	06-05-2013	949.58
0000077660	HALL, CASEY	C	06-05-2013	06-05-2013	1,477.22
0000077661	SHORT, ANGELA	C	06-05-2013	06-05-2013	229.79
0000077662	HORTON, STEPHANIE	C	06-05-2013	06-05-2013	1,004.01
0000077663	REYNOLDS, RONALD	C	06-05-2013	06-05-2013	1,004.01
0000077664	BOYD, JAMES	C	06-05-2013	06-05-2013	1,071.95
0000077665	BURKS, TOMMY	C	06-05-2013	06-05-2013	1,024.69
0000077666	CUNNINGHAM, RAYMOND P	C	06-05-2013	06-05-2013	1,417.00
0000077667	HOSTETTER, LARRY	C	06-05-2013	06-05-2013	1,096.49
0000077668	INGRAM, ALLAN D	C	06-05-2013	06-05-2013	1,559.08
0000077669	MCGUINN, JACK	C	06-05-2013	06-05-2013	1,333.00
0000077670	MITCHELL, JOSEPH T	C	06-05-2013	06-05-2013	1,282.33
0000077671	PEASE, CHRISTY M	C	06-05-2013	06-05-2013	1,237.60
0000077672	PHARISS, FLOYD LEE	C	06-05-2013	06-05-2013	1,154.43
0000077673	STEWART, JOSEPH	C	06-05-2013	06-05-2013	1,037.63
0000077674	ULBIG, KASIE	C	06-05-2013	06-05-2013	988.25
0000077675	BERRYMAN, CAROLYN	C	06-05-2013	06-05-2013	1,102.40

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0000077678	CEARLEY, ALVIN C	C	06-05-2013	06-05-2013	1,201.76
0000077679	GARNER, CARL	I	06-05-2013	06-05-2013	281.62
0000077680	JORDAN, HANNAN W	C	06-05-2013	06-05-2013	833.28
0000077681	LANFORD, MELISSA L	C	06-05-2013	06-05-2013	1,139.23
0000077682	MCDONALD, AMY	C	06-05-2013	06-05-2013	726.83
0000077683	MILLS, CASSANDRA	C	06-05-2013	06-05-2013	401.14
0000077684	MOORE, SHELLY D	C	06-05-2013	06-05-2013	1,080.43
0000077685	MORRIS, JESSICA	C	06-05-2013	06-05-2013	950.17
0000077686	OAKLEY, GRANT E	C	06-05-2013	06-05-2013	708.79
0000077687	PELTON, CLINTON CHASE	C	06-05-2013	06-05-2013	957.62
0000077688	RAMON JR., ISMAEL	C	06-05-2013	06-05-2013	967.77
0000077689	STARKEY, ROBERT	C	06-05-2013	06-05-2013	1,124.71
0000077690	STONE, LARAMIE	C	06-05-2013	06-05-2013	1,061.55
0000077691	TULLY, JAMIE	C	06-05-2013	06-05-2013	942.80
0000077692	WISE, JOE	I	06-05-2013	06-05-2013	633.19
0000077693	YOUNG, CHARLES LYNN	C	06-05-2013	06-05-2013	783.24
0000077694	MCNABB, KELLY W	C	06-05-2013	06-05-2013	468.31
0000077695	BUSBY, CODY D	C	06-05-2013	06-05-2013	2,038.54
0000077696	CRUMPTON, ANDREW B	C	06-05-2013	06-05-2013	1,243.41
0000077697	GEURIN, ROBERT M	C	06-05-2013	06-05-2013	1,207.14
0000077698	JONES, DEBBIE C	C	06-05-2013	06-05-2013	1,030.54
0000077699	PEDEN, LAURA H	C	06-05-2013	06-05-2013	1,067.04
0000077700	RAINEY, BILLIE JO	C	06-05-2013	06-05-2013	978.27
0000077701	WATSON, RICKY W	C	06-05-2013	06-05-2013	1,332.22
0000077702	DICKSON, REBECCA H.	C	06-05-2013	06-05-2013	1,966.01
0000077703	JOHNSON, DEBORAH	C	06-05-2013	06-05-2013	1,619.51
0000077704	SCHINDLER, JENNIFER L	C	06-05-2013	06-05-2013	1,645.45
0000077705	RHOADES, CHERYL D	C	06-05-2013	06-05-2013	967.91
0000077706	CONWAY, HERMAN W.	C	06-05-2013	06-05-2013	1,031.69
0000077707	DILL, LARRY D	C	06-05-2013	06-05-2013	1,144.24
0000077708	LOWRANCE, LOUIE M	C	06-05-2013	06-05-2013	794.34
0000077709	MOSELEY, JOHNNY R.	C	06-05-2013	06-05-2013	1,003.04
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0000077711	STRADLEY, PATRICK	C	06-05-2013	06-05-2013	1,011.76
0000077712	CLEMENT, JAY W	C	06-05-2013	06-05-2013	998.25
0000077713	CONATSER, JIMMY N	C	06-05-2013	06-05-2013	954.03
0000077714	GAMBLIN, JAMES D	C	06-05-2013	06-05-2013	1,372.49
0000077715	HEUGATTER, KAVIN	C	06-05-2013	06-05-2013	586.78
0000077716	JORDAN, J B	C	06-05-2013	06-05-2013	967.91
0000077717	LAUGHLIN, JERRY L	C	06-05-2013	06-05-2013	982.50
0000077718	MEYERS, DANNY H.	I	06-05-2013	06-05-2013	302.20
0000077719	BOWLES, RANDY NEAL	C	06-05-2013	06-05-2013	1,085.74
0000077720	GROVES, HOMER D	C	06-05-2013	06-05-2013	1,042.19
0000077721	MESSER, RUSSELL K	C	06-05-2013	06-05-2013	1,030.91
0000077722	MURPHEY, MARK	C	06-05-2013	06-05-2013	1,294.15
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0000077726	FORRESTER, MICHAEL E.	C	06-05-2013	06-05-2013	967.91
0000077727	GLASS, STANLEY F	C	06-05-2013	06-05-2013	971.54
0000077728	HARRIS, JIMMY R	C	06-05-2013	06-05-2013	1,110.66
0000077729	LANGFORD, ROBERT H	C	06-05-2013	06-05-2013	1,446.87
0000077730	MCPHERSON, TOMMY L	C	06-05-2013	06-05-2013	1,020.27
0000077731	HUGHES, CHRISTOPHER B	C	06-05-2013	06-05-2013	589.29
0000077732	BELL, CAROLYN J.	C	06-05-2013	06-05-2013	866.81
0000077733	HANSARD, JUSTIN A	C	06-05-2013	06-05-2013	468.05

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0000077741	TX CHILD SUPPORT SDU, TXCSDU	I	06-05-2013	06-05-2013	181.38
0000077742	U.S. TREASURY, SERVICE	I	06-05-2013	06-05-2013	30.00
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0000077744	TX CHILD SUPPORT SDU, N004848216	I	06-05-2013	06-05-2013	150.00
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0000077798	MCGUINN, JACK	C	06-19-2013	06-19-2013	1,320.27
0000077799	MITCHELL, JOSEPH T	C	06-19-2013	06-19-2013	1,282.33
0000077800	PEASE, CHRISTY M	C	06-19-2013	06-19-2013	1,067.03
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0000077806	BURGESS, KRISTEN	C	06-19-2013	06-19-2013	1,070.55
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0000077816	MORRIS, JESSICA	C	06-19-2013	06-19-2013	1,085.46
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0000077818	PELTON, CLINTON CHASE	C	06-19-2013	06-19-2013	1,051.42
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0000077830	JONES, DEBBIE C	C	06-19-2013	06-19-2013	1,030.54
0000077831	PEDEN, LAURA H	C	06-19-2013	06-19-2013	1,067.04
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0000077833	WATSON, RICKY W	C	06-19-2013	06-19-2013	1,332.22
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0000077842	MOSELEY, RANDY	C	06-19-2013	06-19-2013	1,042.19
0000077843	STRADLEY, PATRICK	C	06-19-2013	06-19-2013	1,011.76
0000077844	CLEMENT, JAY W	C	06-19-2013	06-19-2013	998.25
0000077845	CONATSER, JIMMY N	C	06-19-2013	06-19-2013	954.03
0000077846	GAMBLIN, JAMES D	C	06-19-2013	06-19-2013	1,372.49
0000077847	HEUGATTER, KAVIN	C	06-19-2013	06-19-2013	401.14
0000077848	JORDAN, J B	C	06-19-2013	06-19-2013	967.91
0000077849	LAUGHLIN, JERRY L	C	06-19-2013	06-19-2013	982.50

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0000077853	MURPHEY, MARK	C	06-19-2013	06-19-2013	1,294.15
0000077854	NASH, J W	C	06-19-2013	06-19-2013	113.52
0000077855	TEAGUE, ROGER D	C	06-19-2013	06-19-2013	1,006.03
0000077856	BUSBY, LARRY D	I	06-19-2013	06-19-2013	526.02
0000077857	FORRESTER, MICHAEL E.	C	06-19-2013	06-19-2013	967.91
0000077858	GLASS, STANLEY F	C	06-19-2013	06-19-2013	971.54
0000077859	HARRIS, JIMMY R	C	06-19-2013	06-19-2013	1,110.66
0000077860	LANGFORD, ROBERT H	C	06-19-2013	06-19-2013	1,446.87
0000077861	MCPHERSON, TOMMY L	C	06-19-2013	06-19-2013	1,020.27
0000077862	HUGHES, CHRISTOPHER B	C	06-19-2013	06-19-2013	589.29
0000077863	BELL, CAROLYN J.	C	06-19-2013	06-19-2013	866.81
0000077864	HANSARD, JUSTIN A	C	06-19-2013	06-19-2013	468.05
0000077865	LACY, ELSIE M	C	06-19-2013	06-19-2013	414.50
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0000077868	FIRST NATIONAL, BANK BOWIE	I	06-19-2013	06-19-2013	4,733.74
0000077869	AFLAC,	I	06-19-2013	06-19-2013	500.12
0000077870	BENEFIT GROUP, SECURITY	I	06-19-2013	06-19-2013	25.00
0000077871	TCDRS,	I	06-19-2013	06-19-2013	68,905.69
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0000077874	PUTNAM INVESTMENTS,	I	06-19-2013	06-19-2013	75.00
0000077875	CINTAS CORP, #628	I	06-19-2013	06-19-2013	1,458.68
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0000077877	U.S. TREASURY, SERVICE	I	06-19-2013	06-19-2013	30.00
0000077878	TX CHILD SUPPORT SDU, N004848216	I	06-19-2013	06-19-2013	150.00
0000077879	TAC-HEBP, BLUE CROSS	I	06-19-2013	06-19-2013	48,401.58
0000077880	TAC-HEBP, BLUE CROSS	I	06-19-2013	06-19-2013	11,585.10
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0000077888	FIRST INVESTORS CORP,	I	06-19-2013	06-19-2013	25.00
0000077889	UNITED TEACHER ASSOC, INSURANCE	I	06-19-2013	06-19-2013	259.76
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0000077891	LIBERTY NATIONAL, INSURANCE LIFE	I	06-19-2013	06-19-2013	392.74

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LISTING OF BUDGET ADJUSTMENTS

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TRANSACTION NUMBER	TYPE OF ADJUSTMENT	EFFECTIVE DATE	ENTRY DATE	EMPL NUMBER	ACCOUNT NUMBER AND TITLE	ADJUSTMENT AMOUNT
0000035186	CURRENT	06/04/2013	06/04/2013	005	10-462-332 POSTAGE	350.00-
0000035187	CURRENT	06/04/2013	06/04/2013	005	10-462-310 OFFICE SUPPLIES	250.00
0000035188	CURRENT	06/04/2013	06/04/2013	005	10-462-427 TRAINING	100.00
0000035189	CURRENT	06/04/2013	06/04/2013	005	10-462-490 JUROR/BAIL/HEARING	1,000.00-
0000035190	CURRENT	06/04/2013	06/04/2013	005	10-462-425 TRANSPORTATION	1,000.00
0000036387	CURRENT	06/06/2013	06/06/2013	005	24-615-570 MACHINERY AND EQUIPMENT	4,000.00-
0000036388	CURRENT	06/06/2013	06/06/2013	005	24-615-151 UNIFORMS	2,000.00
0000036389	CURRENT	06/06/2013	06/06/2013	005	24-615-206 UNEMPLOYMENT INSURANCE	2,000.00
0000036390	CURRENT	06/06/2013	06/06/2013	005	24-615-434 SAND, CEMENT	300.00-
0000036391	CURRENT	06/06/2013	06/06/2013	005	24-615-497 SALES TAX	300.00
0000036392	CURRENT	06/06/2013	06/06/2013	005	22-613-450 R & M	6,600.00-
0000036393	CURRENT	06/06/2013	06/06/2013	005	22-613-570 MACHINERY & EQUIPMENT	5,000.00
0000036394	CURRENT	06/06/2013	06/06/2013	005	22-613-151 UNIFORMS	1,000.00
0000036395	CURRENT	06/06/2013	06/06/2013	005	22-613-412 OIL, GREASE	600.00
0000036396	CURRENT	06/06/2013	06/06/2013	005	10-403-450 R & M	405.00-
0000036397	CURRENT	06/06/2013	06/06/2013	005	10-403-425 TRANSPORTATION	405.00
0000039085	CURRENT	06/24/2013	06/24/2013	005	10-495-400 DUES & BONDS	155.00-
0000039086	CURRENT	06/24/2013	06/24/2013	005	10-495-450 REPAIR & MAINTENANCE	300.00-
0000039087	CURRENT	06/24/2013	06/24/2013	005	10-495-310 OFFICE SUPPLIES	455.00
0000039169	CURRENT	06/25/2013	06/25/2013	005	22-370-999 MISC REVENUE	10,000.00
0000039170	CURRENT	06/25/2013	06/25/2013	005	22-613-449 PAVING	10,000.00
0000039171	CURRENT	06/25/2013	06/25/2013	005	10-370-999 OTHER/MISC REVENUE	2,980.00
0000039172	CURRENT	06/25/2013	06/25/2013	005	10-490-311 PROGRAMMING EXPENSE	2,980.00
0000039186	CURRENT	06/25/2013	06/25/2013	005	10-475-311 SOFTWARE	800.00-
0000039189	CURRENT	06/25/2013	06/25/2013	005	10-475-570 MACHINERY & EQUIPMENT	800.00
0000039201	CURRENT	06/25/2013	06/25/2013	005	22-613-202 GROUP MEDICAL INSURANCE	3,000.00-
0000039205	CURRENT	06/25/2013	06/25/2013	005	22-613-106 ROAD HANDS SALARY	14,000.00-
0000039206	CURRENT	06/25/2013	06/25/2013	005	22-613-105 PART TIME	12,000.00-
0000039209	CURRENT	06/25/2013	06/25/2013	005	22-613-411 FUEL	10,000.00
0000039213	CURRENT	06/25/2013	06/25/2013	005	22-613-435 GRAVEL	19,000.00
					TOTAL BUDGET ADJUSTMENTS	30 25,960.00

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LISTING OF JOURNAL ENTRIES

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0000005303	06/28/2013	005	10-476-425 TRANSPORTATION		
	06/28/2013	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER MAY 2013		517.65
0000005303	06/28/2013	005	10-510-411 FUEL		
	06/28/2013	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER MAY 2013		47.35
0000005303	06/28/2013	005	10-551-411 FUEL & OIL		
	06/28/2013	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER MAY 2013		224.10
0000005303	06/28/2013	005	10-552-411 FUEL & OIL		
	06/28/2013	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER MAY 2013		284.08
0000005303	06/28/2013	005		10-560-411 FUEL, OIL, ETC	
	06/28/2013	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER MAY 2013		1,073.18
					2,146.36

Jennifer Essary

Montague County Auditor
P.O. Box 56-Montague, Texas 76251
Phone (940)-894-2131-Fax (940)-894-3110

June 28, 2013

Lesia Darden
District Clerk
and
Montague County
Commissioners Court

Dear Ladies and Gentlemen,

The District Clerk report for May 2013 was audited on June 28, 2013. The report listed the fees and fines collected for the month. The report was filed June 7, 2013 and signed by the elected official.

The monthly report totaled \$26,264.34. The following were collected and deposited into each fund:

General Fees	\$ 18,295.69
Courthouse Security	\$ 270.00
Record Management & Tech	\$ 1,408.94
State Fees	\$ 6,289.71

The May 2013 report was down by \$42.74 from the April 2013 report. General Fees were down by \$1,817.14, Courthouse Security went up by \$98.00, Record Management and Technology Fees went up by \$236.94, and State Fees went up \$1,439.46 from last month. The May 2013 report was up by \$6,218.79 from May 2012. General Fees were up by \$3,141.14, Courthouse Security was up by \$137.00, Record Management and Technology Fees went up by \$409.44, and State Fees went up by \$2,531.21 from last year.

The Treasurer's receipt was agreed to the monthly report and the collections were deposited in the appropriate state and county funds according to the report.

The work papers for the District Clerk monthly report audit are on file in the County Auditor's office.

Respectfully submitted,



Jennifer Essary

cc: Jack McGaughey
97th Judicial District Judge

Jennifer Essary

Montague County Auditor
P.O. Box 56-Montague, Texas 76251
Phone (940)-894-2131-Fax (940)-894-3110

June 28, 2013

Sydney Nowell
Tax A/C
and
Montague County
Commissioners Court

Dear Ladies and Gentlemen,

The Ad Valorem report for May 2013 was audited on June 28, 2013. The report listed the revenue collected for the month. The report was filed June 5, 2013 and signed by the elected official.

The report totaled \$94,277.78. The following were collected and deposited into each fund:

Current Collections	\$ 76,369.33
Delinquent Collections	\$ 4,883.90
Penalty & Interest	\$ 11,255.39
Fees	\$ 1,768.38
Interest	\$.78

The May 2013 report was up by \$16,684.17 from the April 2013 report. Current collections are up by \$15,171.35, Delinquent Collections went down by \$1,583.20, Penalty & Interest went up by \$2,793.78, Fees went up by \$302.01, and Interest went up by \$.23 from last month. The May 2013 report was up by \$19,517.61 from May 2012. Current Collections were up by \$19,456.22, Delinquent Collections were down by \$4,222.75, Penalty & Interest went up by \$3,716.57, Fees went up by \$569.27 and Interest went down by \$1.70 from last year.

The Treasurer's receipt was agreed to the monthly report and the collections were deposited in the appropriate state and county funds according to the report.

The work papers for the Tax Ad Valorem monthly report audit are on file in the County Auditor's office.

Respectfully submitted,


Jennifer Essary

cc: Jack McGaughey
97th Judicial District Judge

Jennifer Essary

Montague County Auditor
P.O. Box 56 Montague, Texas 76251
Phone (940)-894-2131-Fax (940)-894-3110

June 28, 2013

Glenda Henson
County Clerk
and
Montague County
Commissioners Court

Dear Ladies and Gentlemen,

The County Clerk report for May 2013 was audited on June 28, 2013. The report listed the fees and fines collected for the month. The report was filed June 17, 2013 and signed by the elected official.

The report totaled \$55,216.25. The following were collected and deposited into each fund:

General Fees	\$ 39,464.24
Road & Bridge Fines	\$ 3,188.00
Courthouse Security	\$ 1,559.00
Record Management & Tech	\$ 7,858.00
State Fees	\$ 3,147.01

The May 2013 report was down by \$7,543.65 from April 2013. General Fees were down by \$5,321.55, R&B fines were down by \$38.50, Courthouse Security was down by \$142.00, Record Management and Tech fees were down by \$706.00, and State Fees were down by \$1,335.60 from last month. The May 2013 report was down by \$8,701.55 from May 2012. General Fees were down by \$3,282.21, R&B fines were down by \$3,865.00, Courthouse Security down by \$119.00, Record Management and Tech Fees down by \$682.00, and State Fees down by \$753.34 from last year.

The Treasurer's receipt was compared to the monthly report and the collections were deposited in the appropriate funds according to the report.

The work papers for the County Clerk monthly report audit are on file in the County Auditor's office.

Respectfully submitted,



Jennifer Essary

cc: Jack McGaughey
97th Judicial District Judge

Jennifer Essary

Montague County Auditor
P.O. Box 56 Montague, Texas 76251
Phone (940)-894-2131 Fax (940)-894-3110

July 1, 2013

David Allen
Justice of the Peace #1
and
Montague County
Commissioners Court

Dear Gentlemen,

The Justice of the Peace, Precinct #1 report for May was audited June 30, 2013. The report listed the fees and fines collected for the month. The report was filed on June 5, 2013 and signed by the elected official.

The monthly report totaled \$16,478.00. The following were collected for the month:

General Fees	\$ 10,866.05
Courthouse Security	\$ 244.00
Tech Fund Fees	\$ 242.00
State Fees	\$ 5,125.95

The May 2013 report was down by \$9,767.00 from April 2013. General Fees were down by \$7,862.75, Courthouse Security fees were down by \$171.00, Tech Fees were down by \$172.00 and State Fees down by \$1,561.25 from last month. The May 2013 report was up by \$3,747.43 from May 2012. General Fees were up \$3,248.78, Courthouse Security up by \$1.00, Tech Fees were down by \$6.00 and State Fees up by \$503.65 from last year.

The Treasurer's receipt was agreed to the monthly report. The receipt properly deposited the collections in the appropriate funds according to the report.

The work papers for the Justice of the Peace, Precinct #1 monthly report audit are on file in the County Auditor's office.

Respectfully submitted,



Jennifer Essary

cc: Jack McGaughey
97th District Judge

Jennifer Essary

Montague County Auditor
P.O. Box 56 Montague, Texas 76251
Phone (940)-894-2131-Fax (940)-894-3110

July 2, 2013

Karen Reynolds
Justice of the Peace #2
and
Montague County
Commissioners Court

Dear Gentlemen,

The Justice of the Peace, Precinct #2 report was audited July 2, 2013. The report listed the fees and fines collected for the month of May. The report was filed on June 13, 2013 and signed by the elected official.

The monthly report totaled \$46,744.20. The following were collected for the month.

General Fees	\$29,567.01
Courthouse Security	\$ 740.49
Tech Fund Fees	\$ 744.58
State Fees	\$ 15,692.12

The May 2013 report was up by \$2,863.80 from April 2013. General Fees were up by \$940.98, Courthouse Security was up by \$65.43, Tech Fees were up by \$67.50 and State Fees were up by \$1,789.89 from last month. The May 2013 report was up by \$7,735.40 from May 2012. General Fees were up by \$3,699.31, Courthouse Security up by \$173.00, Tech Fees up by \$173.14, and State Fees up by \$3,689.95 from last year.

The Treasurer's receipt was agreed to the monthly report. The receipt properly deposited the collections in the appropriate funds according to the report.

The work papers for the Justice of the Peace, Precinct #2 monthly report audit are on file in the County Auditor's office.

Respectfully submitted,



Jennifer Essary

cc: Jack McGaughey
97th District Judge

DNR

MONTAGUE VETERAN SERVICE OFFICE
P.O. BOX 103

MONTAGUE, TEXAS 76251

OFFICE ACTIVITY REPORT FOR JUNE 2013

NUMBER OF VETERANS AND SPOUSES SERVED	139
COMPENSATION/PENISON CLAIMS	29
HEALTH BENEFITS ENROLLMENTS	39
WIDOW/ASSISTED LIVING/REST HOMES CLAIMS	27
MISC/GI BILL/OTHER BENEFIT INQUIRES	44

MENTAL HEALTH

MONTAGUE COMBAT VETERANS GROUP SESSIONS HAS 40 ENROLLED

MONTAGUE COUNTY VETERAN MONUMENT

NAMES ARE COMING IN (60 FOR JUNE). CLOSING DATE FOR NAMES IS AUGUST 1, 2013. WE HAVE ABOUT \$30,000.00 IN THE BANK. WE NEED \$8,000.00 TO PAY FOR THE MONUMENT. HOWEVER, WE NEED APPROX AN ADDITONAL \$10,000 FOR THE FLAG POLES.

VETERANS OUTREACH SIMINAR

NEXT OUTREACH WILL BE LOCATED AT THE MASONIC LODGE IN ST JO, TEXAS ON AUGUST 3, 2013 FROM 10:00 TO 2:00PM.



HELEN FARABEE CENTERS

DNR

Graham Administrative Office
1720 Fourth Street Graham, Texas 76450-2926
Phone (940) 696-6103 Fax (940) 696-6164

June 11, 2013

*Montague County Judge
Honorable Tommie Sappington
Montague County Courthouse
P.O. Box 475
Montague, Texas 76251-0475*

Enclosed are two originals of the Memorandum of Agreement between the County of Montague and Helen Farabee Centers for support of Behavioral Health Services.

Please sign both originals and return them to me. After Roddy Atkins, Executive Director, signs them, I will return one original to you for your records.

If you have any questions, please call me at 940-696-6106 or email me at beckk@helenfarabee.org.

Sincerely,

*Kim Beck
Property/Contract Supervisor
Helen Farabee Centers*

HELEN FARABEE CENTERS ∴
COUNTY OF MONTAGUE ∴

In order to assure the accessibility of Behavioral Health Services when needed by any resident of Montague County, pursuant to the authority contained in the Texas Health and Safety Code, Section 533,034, the Helen Farabee Centers acting by and through its Executive Director and Montague County, acting by and through its Commissioner's Court, jointly enter into this agreement in conformity with the following terms and conditions.

The County agrees to:

1. Furnish financial support for efficient operation of the center.
2. Allow Helen Farabee Centers to supervise and administer Behavioral Health Services in the center in compliance with appropriate standards (see Number 1 below).
3. Register any complaints or questions with the supervisor regularly at the center, the Director of Behavioral Health Services, and/or Executive Director.
4. Provide cash reimbursement from Montague County to Helen Farabee Centers in the amount of \$8,000.00 per year.

Payments are to be made too Helen Farabee Centers, PO Box 8266, Wichita Falls, TX 76307.

5. Total Montague County support is \$8,000.00

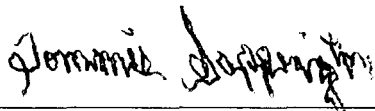
Helen Farabee Centers agree to:

1. Provide sufficient staff to offer Behavioral Health Services in the center. All services will be in compliance with the standards set forth in Texas Department of State Health Services Rules and Community Standards.
2. Furnish all staff and program monies to support local service delivery including staff training, travel monies, cost for medications, laboratory, and other medical supplies, telephone costs to Helen Farabee Centers and other phone calls for administrative purposes, telephone line for facsimile communication, computer support and equipment, and other supplies as may be deemed necessary.
3. Provide services in or from other locations which include a Crisis Hotline for all local residents, residential options possibly located in other communities, laboratory tests for consumers, psychological testing as required, and continuity of care/discharge planning for those hospitalized.
4. Continually promote and upgrade communications and services allowing both the Community and the Centers to offer better services to residents of the center's catchment area.

It is mutually agreed that:

1. Fees charged and collected from residents for services shall be retained by Helen Farabee Centers. No one is refused services solely on inability to pay.
2. This shall be a continuing agreement until either party desires to revise or cancel the agreement.
3. A review of this agreement will be conducted annually for the purpose of making revisions that might be required. Either party may request an additional review at any time.
4. This agreement may be canceled by either party by giving written notice to the other party thirty (30) days in advance.

Effective September 1, 2013



Montague County Judge

7-8-2013

Date



Executive Director—HFC

July 12, 2013

Date



CERTIFIED PUBLIC ACCOUNTANTS

4110 KELL BLVD., SECOND FLOOR • P.O. BOX 750
WICHITA FALLS, TEXAS 76307-0750
PH. (940) 766-5550 • FAX (940) 766-5778

MICHAEL D. EDGIN, CPA
DAVID L. PARKMAN, CPA, CFE
A. PAUL FLEMING, CPA
J. MARK FLEMING, CPA

June 6, 2013

Honorable Judge Tommie Sappington
and County Commissioners
Montague County, Texas
P.O. Box 475
Montague, Texas 76251

Honorable Judge Sappington and County Commissioners:

We are pleased to confirm our understanding of the services we are to provide Montague County, Texas (County) for the year ended September 30, 2013. We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of Montague County, Texas as of and for the year ended September 30, 2013. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the County's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the County's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Budgetary Schedules
3. Schedule of Funding Progress – Texas County & District Retirement System

We have also been engaged to report on supplementary information other than RSI that accompanies Montague County, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Combining Statements and Budget Comparisons

Honorable Judge Tommie Sappington
and County Commissioners
Montague County, Texas
June 6, 2013

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Page Five

Such arbitration shall be binding and final. In agreeing to arbitration, we both acknowledge that in the event of a dispute over fees charged by the accountant, each of us is giving up the right to have the dispute decided in a court of law before a judge or jury and instead we are accepting the use of arbitration for resolution.

We appreciate the opportunity to be of service to Montague County, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Respectfully submitted,

Edgin, Parkman, Fleming & Fleming, PC

EDGIN, PARKMAN, FLEMING & FLEMING, PC
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of Montague County, Texas.

By: *Tommie Sappington*

Title: *Montague County Judge*

Date: *July 8, 2013*



WILLIAM W. KRUEGER, III
Member College of the State Bar of Texas
bill@mckamiekrueger.com

June 25, 2013

Via First Class Mail

And Email: v.stout@co.montague.tx.us

Judge Tommie Sappington
Montague County Judge
(Assistant: Valorie Stout)
P.O. Box 475
Montague, Texas 76251

Re: ***Montague County and Sheriff Deputy Fred A. Castle v. CTC Transportation Inc., Phillip Michael Hargrove, Dan Clark Family, LP and KC Partners***
Cause No. DC-12-01354
In the 191st Judicial District Court of Dallas County, Texas
Our File No. Castle-6100

Dear Judge Sappington:

Here is Montague County's settlement check for the law suit.

We have enclosed 2 copies of the email and spreadsheet which details the distribution of the settlement funds and 2 copies of the Settlement and Release Agreement. Please sign one copy of the email and spreadsheet and Settlement and Release Agreement and return them to our office in the envelope provided. Also enclosed is a copy of the Order of Dismissal for your records.

If you have any questions, please do not hesitate to call me at the office.

Sincerely,

McKAMIE KRUEGER & KNIGHT, LLP

WILLIAM W. KRUEGER, III

www.mckamiekrueger.com

San Antonio
941 Proton Rd.
San Antonio, Texas 78258
(210) 546-2122 Fax (210) 546-2130

Austin
223 W. Anderson Lane
Suite A-105
Austin, Texas 78752
(512)323-5778 FAX (512)323-5773

Dallas
2007 N. Collins Blvd. Suite 501
Richardson, Texas 75080
(214) 253-2600 Fax (214) 253-2626

LAW OFFICES OF WILLIAM W KRUEGER III PC
IOLTA
2007 N. COLLINS BLVD STE 601
RICHARDSON, TX 75080

1031

35-2538/1131
81

June 3, 2013
Date

Pay to the Order of Montague County Sheriff's Office \$ 6,000.00

Six thousand dollars and 00/100 Dollars



First Community Bank

For Castle lawsuit reimbursement for damage vehicle. *William W Krueger III* MP

⑆ 113125380⑆ 1031⑆ 50186716⑆

INTOUCH CUSTOM CREATIONS

From: Bill Krueger
Sent: Friday, May 31, 2013 10:38 AM
To: Jean Crow; Danny Crow (dcrow@felderhoffdrilling.com); Kevin Yandell
Cc: Diana Maldonado (diana.maldonado@jicompanies.com); Goodson, Ursula; Navarro, Leticia; Bill Krueger
Subject: FW: Settlement Worksheet
Attachments: Castle Settlement Worksheet.xlsx; REVISED Settlement Worksheet.xlsx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Fred, Jean, Danny and Kevin:

We are now at the end and I hope that you all have been doing better and better and better. Just a little more and this will all be over. Jean as before/always, can you get your father a copy of all of this and explain it to him. If you have any questions, I am available by email and cell phone (512-470-3054) to address any questions between now and Tuesday.

I attach the February Settlement worksheets/emails for reference. I note the final distributions as follows:

Fred A. Castle (\$376,005.87 Less \$2,000)	
	\$374,005.87
Montague County Sheriff's Office	
	\$6,000.00
TAC-RMP (\$95,153.42 add \$6,899.18/cost reimb. Less \$2,000)	
	\$100,052.60
MK, LLP (\$159,466.46 add \$10,675.08/cost reimb. Add \$1,800.00/Med.	
	Less \$2,000)
	\$169,941.53

It is very important to note that we found no Medicare paid for the October 26, 2010 accident. There may be a debate over approximately \$700 of Medicare payment. It has not arisen to date and it should be handled by Fred Castle. There was Medicare paid on the stomach aneurysm (unrelated to the 10/26/2013 MVA).

TAC-RMP has handled the Workers' Compensation portion of the case and it is responsible for that. Fred Castle's "holiday" will begin when the settlement document is signed. I will distribute the above proceeds at that time.

Please direct any question/concerns/objections to me (phone and/or email). I will respond to you and the group as is necessary. I am leaving for the Texas City Attorneys Association Annual Conference on South Padre Island on Tuesday. So, I will have to address your issues all on Monday and before.

Bill Krueger

William "Bill" Krueger, III
Partner
McKamie Krueger, LLP
2007 N. Collins Blvd., Ste. 501
Richardson, Texas 75080
214-253-2600
214-253-2626 - Facsimile
bill@mckamiekrueger.com

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From: Bill Krueger
Sent: Wednesday, February 13, 2013 6:15 PM
To: Jean Crow; Danny Crow (dcrow@felderhoffdrilling.com)
Cc: Bill Krueger
Subject: FW: Settlement Worksheet
Importance: High

Hold on guys... see the "REVISED Settlement Worksheet" b/c of my Excel Spread Sheet mistake (\$20,000).

From: Bill Krueger
Sent: Wednesday, February 13, 2013 4:09 PM
To: Jean Crow; Danny Crow (dcrow@felderhoffdrilling.com)
Cc: Bill Krueger
Subject: FW: Settlement Worksheet

Jean and Danny,

I did run the attached numbers for a settlement at \$650,000. I admit that the numbers do look good for that amount. Recall, that no one has found a Medicare Lien. Fred has not signed documents making his medical a Medicare Claim. Fred's Workers' Compensation Carrier has not seen or found any Medicare liens. The WC Carrier is responsible for your medical claims and payments.

Even so, MK will check the liens again. If there is a Medicare Lien, we would ask that the WC Carrier review and pay the bill. We might have to argue with the WC Carrier a bit and of course, they would want Fred to pay. We will have to see.

I do not want to rush this and I do not want any mistakes. On the WC side, I believe that I get 33% of the WC monies recovered after deducting expenses. Note, that all the WC recovery is from the monies they paid in the medical side of the case. You are not paying my fee/expenses on their recovery. But, the expenses helped get all the documents, subpoenas, depositions, videos, etc. We can talk about these issues.

I would like to add the County's cruiser on top of the \$650,000. So the settlement demand would be \$659,000 back to the Mediator and Defendants. I cannot imagine they would let the case slip away for \$9,000. Think about it and get back to me.

I attach the spread sheet for your review. I know you and Fred will do the right thing for your family. You will not hurt my feelings one way or the other. God bless you and holler at me when you decide.

Bill Krueger

William "Bill" Krueger, III
Partner
McKamie Krueger, LLP
2007 N. Collins Blvd., Ste. 501
Richardson, Texas 75080
214-253-2600
214-253-2626 - Facsimile
bill@mckamiekrueger.com

AGREED TO AS TO FORM + SUBSTANCE :

Fred A. Castle

FRED A CASTLE

Jean Crow

JEAN CROW

Danny Crow

DANNY CROW

Monteblanc County

TAC-RMP

Castle Settlement Worksheet

SETTLEMENT AMOUNT		\$ 650,000.00
Medicare Lien (if applicable)		\$ -
Client Costs paid by TAC		\$ 6,899.18
Client Costs paid by MK		\$ 10,675.08
Additional Client Costs to incur		\$ 1,800.00
- Mediator Costs on 2/12/13	\$ 1,800.00	
- Other Costs in Feb. 2013 (TBD)	TBD	
- Medical Experts	TBD	
- Additional Deposition Costs	TBD	
- Additional Trial Preparation Costs	TBD	
TOTAL COSTS		\$ 19,374.26
SETTLEMENT AMOUNT prior to TAC recovery		\$ 630,625.74
TAC Paid to date	\$ 126,000.00	
Attorney's Fees Paid to Date by TAC	\$ 32,525.50	
Recovery b/f MK Reimb. (see below)	\$ 93,474.50	
TAC Statutory Lien Recovery (67%)		\$ 62,627.92
MK Statutory Worker Comp Fee (33%)		\$ 30,846.59 **
NET SETTLEMENT AMOUNT		\$ 537,151.24
		Corrected formula here to subtract WC Fee (**)
F. Castle Settlement (70%)		\$ 376,005.87
MK Contingency Fee (30%)		\$ 161,145.37
MK reimbursement to TAC for legal fees (Statutory WC Fees - Fees Paid)		\$ 1,678.92
Adjusted TAC recovery (Statutory Lien + MK Reimb of fees)		\$ 95,153.42
MK Net Contingency Fee		\$ 159,466.46

Castle Settlement Worksheet

SETTLEMENT AMOUNT		\$ 650,000.00
Medicare Lien (if applicable)		\$ -
Client Costs paid by TAC		\$ 6,899.18
Client Costs paid by MK		\$ 10,675.08
Additional Client Costs to incur		\$ 1,800.00
- Mediator Costs on 2/12/13	\$ 1,800.00	
- Other Costs in Feb. 2013 (TBD)	TBD	
- Medical Experts	TBD	
- Additional Deposition Costs	TBD	
- Additional Trial Preparation Costs	TBD	
TOTAL COSTS		\$ 19,374.26
SETTLEMENT AMOUNT prior to TAC recovery		\$ 630,625.74
TAC Paid to date	\$ 126,000.00	
Attorney's Fees Paid to Date by TAC	\$ 32,525.50	
Recovery b/f MK Reimb. (see below)	\$ 93,474.50	
TAC Statutory Lien Recovery (67%)		\$ 62,627.92
MK Statutory Worker Comp Fee (33%)		\$ 30,846.59
NET SETTLEMENT AMOUNT		\$ 567,997.83
F. Castle Settlement (70%)		\$ 397,598.48
MK Contingency Fee (30%)		\$ 170,399.35
MK reimbursement to TAC for legal fees (Statutory WC Fees - Fees Paid)		\$ 1,678.92
Adjusted TAC recovery (Statutory Lien + MK Reimb of fees)		\$ 95,153.42
MK Net Contingency Fee		\$ 168,720.43

LAW OFFICES OF WILLIAM W KRUEGER III PC
IOLTA
2007 N. COLLINS BLVD STE 501
RICHARDSON, TX 75080

1001
35-2538/1131
81

June 3, 2013
Date

Pay to the Order of Mr. Fred A. Castle \$ 374,005.87

three hundred and seventy four thousand and five dollars and 87/100 Dollars

First Community Bank

For CASTLE - 6100 SETTLEMENT

William W. Krueger III

⑆ 1 1 3 1 2 5 3 8 0 ⑆ 1 0 0 ⑆ 5 0 1 8 6 7 1 6 ⑆

INTOUCH CUSTOM CREATIONS

LAW OFFICES OF WILLIAM W KRUEGER III PC
IOLTA
2007 N. COLLINS BLVD STE 501
RICHARDSON, TX 75080

1061
35-2538/1131
81

June 3, 2013
Date

Pay to the Order of TAC-RMP \$ 100,052.60

one hundred thousand and fifty two dollars and 60/100 Dollars

First Community Bank

For Castle lawsuit settlement reimb.

William W. Krueger III

⑆ 1 1 3 1 2 5 3 8 0 ⑆ 1 0 6 ⑆ 5 0 1 8 6 7 1 6 ⑆

Harland Clarke

INTOUCH CUSTOM CREATIONS

LAW OFFICES OF WILLIAM W KRUEGER III PC
IOLTA
2007 N. COLLINS BLVD STE 501
RICHARDSON, TX 75080

1031
35-2538/1131
81

June 3, 2013
Date

Pay to the Order of Montague County Sheriff's Office \$ 6,000.00

six thousand dollars and 00/100 Dollars

First Community Bank

For Castle lawsuit reimbursement for damage vehicle.

William W. Krueger III

⑆ 1 1 3 1 2 5 3 8 0 ⑆ 1 0 3 ⑆ 5 0 1 8 6 7 1 6 ⑆

Harland Clarke

INTOUCH CUSTOM CREATIONS

TGA.3891

CAUSE NO. 12-01354

<p>MONTAGUE COUNTY AND SHERIFF DEPUTY FRED A. CASTLE, Plaintiffs,</p> <p>V.</p> <p>CTC TRANSPORTATION, INC., PHILLIP MICHAEL HARGROVE, DAN CLARK FAMILY, LP, AND KC PARTNERS, Defendants.</p>	<p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p>	<p>IN THE DISTRICT COURT OF</p> <p>DALLAS COUNTY, TEXAS</p> <p>191ST JUDICIAL DISTRICT COURT</p>
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SETTLEMENT AND RELEASE AGREEMENT

I. DEFINITIONS.

"Plaintiffs" mean Montague County and Sheriff Deputy Fred A. Castle, as well as any heirs, executors, administrators, successors, and assigns of Montague County and/or Sheriff Deputy Fred A. Castle.

"Plaintiffs' Counsel" means William W. Krueger, III, McKamie Krueger & Knight, LLP, 2007 N. Collins Blvd., Suite 501, Richardson, Texas 75080.

"Defendants" mean CTC Transportation, Inc., Phillip Michael Hargrove, Dan Clark Family, LP, KC Partners, Richard Kurtz and Dan Clark, and their respective successors, assigns, executors, administrators, attorneys, agents, representatives, officers, directors, shareholders, partners, agents, employees, servants, representatives, attorneys, affiliate companies, insurer, and any other person, firm or corporation in privity with them.

"Released Parties" means CTC Transportation, Inc., Phillip Michael Hargrove, Dan Clark Family, LP, KC Partners, Richard Kurtz and Dan Clark, and their respective successors, assigns, executors, administrators, attorneys, agents, representatives, officers, directors, shareholders, partners, agents employees, servants, representatives, affiliate companies, insurer, and any other person, firm or corporation in privity with them including but not limited to TGA Insurance Managers, Inc., Texas General Agency, and Hallmark County Mutual Insurance Company.

The "Incident" means the events described in Plaintiffs' Petition and includes all actions or events surrounding said events, and the matters that have been or might have been alleged in Plaintiffs' pleadings in the Lawsuit. Specifically, the "Incident" refers to the occurrence on October 26, 2010 wherein Deputy Sheriff Fred A. Castle claims he was injured when he was involved in a motor vehicle accident involving Defendant Phillip Michael Hargrove on US Hwy 287 in Ennis, Ellis County, Texas, while Mr. Hargrove was in the course and scope of his employment with CTC Transportation, Inc.

"The Lawsuit" means the above-entitled and numbered cause brought by Plaintiffs against Defendants presently pending in Cause No. 12-01354, filed in the 191st Judicial District Court in Dallas County, Texas.

"All Claims" as used herein is intended to be construed liberally to effect a complete, total, and full release of Defendants and Released Parties and their respective agents, employees, associates, successors, assigns, and insurers, and includes all demands, rights of recovery, causes of action, injuries, acts, omissions, claims, debts, expenses, interest, cost, judgments, penalties and liens, WHETHER NOW EXISTING OR ARISING HEREAFTER, (1) that arise out of the Incident; (2) that have been brought by Plaintiff in the Lawsuit against Defendants, and (3) that could have been brought in a lawsuit against the Released Parties. Furthermore, "All Claims" means all claims, demands and causes of action of any nature, whether in contract or in tort, or arising under or by virtue of any statute or regulation, including all claims arising out of an alleged past, present, or future negligence and gross negligence of Defendants and Released Parties for any other loss or damage arising from the Incident, including but not limited to prejudgment or post-judgment interest, medical expenses, survivors and/or death claims, physical pain and mental anguish, loss of consortium, damages to familial relations, loss of companionship, society and affection, disability, disfigurement, impairment, ensuing death, lost wages, back pay, front pay, loss of earning capacity, damage to reputation, loss of household services, and/or statutory, multiple, exemplary or punitive damages. The term "All Claims" includes present and future claims and injuries, regardless of whether the existence of such claims and/or injuries is presently known or unknown, and regardless of whether additional injuries or claims should arise, become known, or allegedly result from the Incident.

"The Consideration" means all the promises, agreements, and representations set forth below and the following:

1. The payment to Plaintiffs and Plaintiffs' Counsel on behalf of Defendants and Released Parties, in the amount of Six Hundred and Fifty Thousand and No/100 Dollars (\$650,000.00).

The parties hereto intend that all sums set forth herein constitute damages on account of all property damage, personal injuries or sickness related to the Incident. The parties intend for \$6,000.00 of the \$650,000.00 paid herein to be considered payment/settlement of property damage to the Montague County Sheriff's cruiser involved in the Incident. The balance of the \$650,000.00 paid herein constitutes payment/settlement of personal injuries or sickness, within the meaning of Section 104(a)(2) of the Internal Revenue Code of 1986, as amended ("Personal Injury Damages"). Plaintiffs agree to indemnify the Defendants and Released Parties for any claim by the Internal Revenue Service in relation to the classification of part of the Consideration as Personal Injury Damages.

II. AGREEMENT

- (1) In this Agreement, the singular includes the plural, and vice versa; likewise, the disjunctive includes the conjunctive and vice versa.

- (2) For the Consideration, Plaintiffs RELEASE, ACQUIT, AND FOREVER DISCHARGE Defendants and the Released Parties from All Claims that have accrued or may ever accrue to Plaintiffs due to the Incident. This Release specifically is agreed to extend and apply to any and all injuries, claims, and damages that Plaintiffs might suffer, allege, or incur as a result of or that may be related to the Incident. For the consideration called for herein, Plaintiffs do hereby compromise, settle, fully release, and forever discharge Defendants and the Released Parties of and from any and all claims, demands, controversies, actions, causes of actions, or remedies, whether at common law, statutory or otherwise, which Plaintiffs have or may claim to have or may in the future own or hold for any type of damage or loss, including, but not limited to, personal or bodily injuries, property damage, wrongful death, economic loss, damage to reputation, loss of profits, lost wages, back pay, front pay, medical expenses, direct or consequential damages, pain and suffering, mental anguish, loss of earning capacity, loss of use, loss of inheritance, loss of consortium, reimbursement of payments made pursuant to statute or contract, punitive or exemplary damages, attorneys' fees, costs of interest, whether known or unknown, arising from or in any way growing out of or resulting from or to result from the Incident.
- (3) Plaintiffs, Defendants, and Released Parties acknowledge the receipt and sufficiency of the Consideration by signing this Agreement. The agreement of Defendants and Released Parties to provide the Consideration is not an admission of liability or wrongdoing. Plaintiffs, Defendants, and Released Parties deny any and all liability and wrongdoing. This Agreement merely represents the compromise of a disputed claim in order to avoid further litigation and ultimately, a trial on the merits of this case.
- (4) Plaintiffs, Defendants, and Released Parties agree that the Consideration is accepted in full and final settlement of All Claims. Plaintiffs, Defendants, and Released Parties agree that the Consideration is all the money, services, or other consideration which, under any circumstances, Plaintiffs, Defendants, and Released Parties will ever have to pay for or provide on account of the Incident in the past, present or future arising out of the Incident.
- (5) The Release from any liability or claim for any unknown or future injury or damage is a specifically negotiated term of this Agreement for which the Consideration is agreed to be provided. Plaintiffs, Defendants, and Released Parties have agreed to Release all unknown or future injuries, claims and damages only after due time to consider same and after appropriate consultation with their respective counsel.
- (6) In the event that any party in any action pursued by Plaintiffs should assert any third-party action, cross-action, counterclaim, or other form of action against Defendants or Released Parties, then Plaintiffs expressly understand and agree that Defendants and Released Parties are to incur no further liability to Plaintiffs as a result of any claim, demand or cause of action which Plaintiffs may assert against anyone as a result of the Incident and Defendants and Released Parties will pay no further consideration to Plaintiffs beyond the Consideration stated herein. This Settlement is made in full contemplation of the terms and provisions of TEXAS CIVIL PRACTICE AND

REMEDIES CODE, SECTION 33.001 et seq., and the doctrine of comparative causation in effect in Texas. In the event that any claim, demand or cause of action, whether by any third-party action, cross-action, counter claim or otherwise for contribution or indemnity be asserted against Defendants or Released Parties in a lawsuit or cause of action brought by Plaintiffs, then Plaintiffs agree that Defendants and Released Parties are to incur no further monetary liability to Plaintiffs as the result of the Incident, even if the effect of this Agreement is to reduce any potential recovery by Plaintiffs against any other person or entity not expressly benefited by this Agreement.

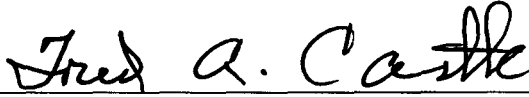
PLAINTIFFS AGREE TO INDEMNIFY AND DEFEND DEFENDANTS AND THE RELEASED PARTIES AND TO HOLD THEM HARMLESS FROM (A) ALL CLAIMS THAT HAVE BEEN OR LATER MAY BE ASSERTED BY ANY PERSON, FIRM OR CORPORATION CLAIMING BY, THROUGH OR UNDER PLAINTIFFS; AND (B) ALL LEGAL ACTIONS, INCLUDING THIRD-PARTY ACTIONS AND CROSS-ACTIONS, ASSERTED OR BROUGHT AGAINST DEFENDANTS OR THE RELEASED PARTIES BY ANY PERSON, FIRM, OR CORPORATION ARISING OUT OF THE INCIDENT, THE LAWSUIT, OR THE CONSIDERATION, BUT SUCH INDEMNITY IS LIMITED TO ANY CLAIMS FOR REIMBURSEMENT, DIRECTLY AND/OR THROUGH SUBROGATION OR LIEN, FOR ANY MEDICAL BILLS, BENEFITS, AND/OR EXPENSES PAID BY OR ON BEHALF OF PLAINTIFFS. THIS INDEMNITY AGREEMENT SPECIFICALLY APPLIES TO ALL THE ACTS AND OMISSIONS THAT WERE ALLEGED OR COULD HAVE BEEN ALLEGED IN THE LAWSUIT, INCLUDING THE ALLEGED NEGLIGENCE AND/OR GROSS NEGLIGENCE OF DEFENDANTS OR RELEASED PARTIES.

- (7) Plaintiffs, Defendants, and Released Parties agree not to require the participation of Plaintiffs, Defendants, or Released Parties, or their counsel, in any further proceedings, lawsuits, court appearances or trials arising out of the Incident or connected with the Lawsuit, except as may be necessary to effectuate this Agreement. Plaintiffs, Defendants, and Released Parties agree to file an Agreed Dismissal With Prejudice in a form approved by all parties, and any other pleadings necessary to effectuate the intent of this Agreement. Each party shall bear its own costs.
- (8) Plaintiffs, Defendants, and Released Parties warrant and represent that before executing this Agreement, they became fully informed of the terms, contents, conditions and effects of this Agreement; that in making this Agreement, they have had the benefit of the advice of attorneys of their choosing; and that no promises or representations of any kind have been made by Plaintiffs, Defendants, and Released Parties, or anyone acting for Plaintiffs, Defendants, and Released Parties, except as is expressly stated in this Agreement. Plaintiffs, Defendants, and Released Parties have relied solely on their own judgment and the advice of their Counsel in making this settlement, and Plaintiffs, Defendants, and Released Parties fully understand that this is a full, complete, and final release of all injuries, claims and damages, past, present or future, known or unknown. Plaintiffs, Defendants, and Released Parties, as well as any heirs, executors, administrators, successors and assigns of Plaintiffs, Defendants, and Released Parties understand that the Consideration is all the money or services that are ever to be paid or

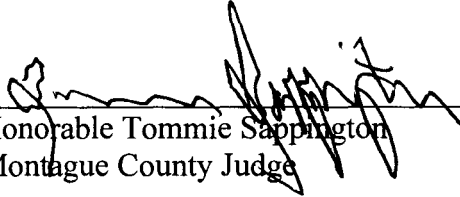
provided anyone by or on behalf of Plaintiffs, Defendants, and Released Parties as a result of the Incident and/or the Lawsuit, regardless of whether the injuries or damages of Plaintiffs, Defendants, and Released Parties or their heirs, executors, administrators, successors and assigns, should change, worsen, or arise in the future.

- (9) Plaintiffs warrant and specifically represent that there is no existing or former spouse, parent, child, guardian, or other person, firm, corporation or other entity with any potential claim for damages as a result of the incident referenced herein, including any hospital, health care provider, Workers' Compensation, Medicare, or Medicaid. Plaintiffs additionally represent and warrant that they have paid all liens and satisfied any and all subrogation interests arising out of the medical care or any other benefits received by Plaintiffs, if any, made the basis of this lawsuit, and that Plaintiffs are specifically and solely responsible for the satisfaction of all such liens, medical bills and subrogation interests to the extent such exist.
- (10) Plaintiffs represent and warrant that no medical services provided to them as a result of the Incident made basis of this Lawsuit were paid for by the U.S. Government, Medicare or Medicaid, and Plaintiffs do affirmatively state that no governmental agency has a right to recover or subrogate any claim against any party released herein under any medical recovery act provided by Federal or State law.
- (11) Each respective counsel for Plaintiffs, Defendants, and Released Parties acknowledges that this Agreement was fully explained to the respective Plaintiffs, Defendants, and Released Parties before each signed this Agreement. Plaintiffs and Defendants have been represented by counsel in connection with the negotiation of this Agreement.
- (12) This Agreement states the entire agreement of the parties and supersedes all prior or contemporaneous oral or written understandings, agreements, statements or promises. This Agreement may not be amended or modified in any respect except by a written instrument duly executed by all of the parties to this Agreement. This Agreement may be executed in one or more counterparts, each of which shall be an original, and this Agreement is effective upon execution of at least one counterpart by each party to this Agreement. If this Agreement does not become effective for any reason, it shall be deemed negotiation for settlement purposes only and will not be admissible in evidence or usable for any purposes whatsoever. In the event that anyone or more of the provisions of this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity shall not affect any other provision herein. This Agreement is entered into in the State of Texas, and shall be construed and interpreted by and in accordance with the laws of the State of Texas.
- (13) It is understood that the provisions of this Release are contractual and not mere recitals. Any signatories to this Agreement warrant that they have the authority to execute this Agreement and bind the respective parties.

EXECUTED on the date and year herein shown.



Sheriff Deputy Fred A. Castle, Plaintiff

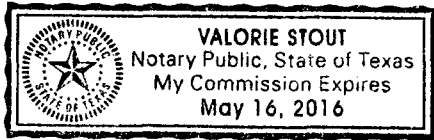


Honorable Tommie Sappington
Montague County Judge

STATE OF TEXAS §
COUNTY OF Montague §

BEFORE ME, the undersigned authority, on this day personally appeared Sheriff Deputy Fred A. Castle, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this 8th day of July, 2013.



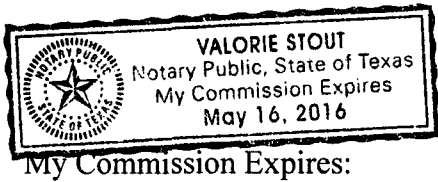
Valorie Stout
Notary Public in and for
The State of Texas

My Commission Expires:

STATE OF TEXAS §
COUNTY OF Montague §

BEFORE ME, the undersigned authority, on this day personally appeared Honorable Judge Tommie Sappington, the Authorized Representative for Montague County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this 8th day of July, 2013.



Valorie Stout
Notary Public in and for
The State of Texas

My Commission Expires:

AGREED:

WILLIAM W. KRUEGER, III
State bar No. 11740530
McKAMIE KRUEGER & KNIGHT, LLP
2007 N. Collins Blvd., Suite 501
Richardson, Texas 75080
214-253-2600
214-253-2626 - Facsimile
ATTORNEY FOR PLAINTIFFS

CAUSE NO. 12-01354

MONTAGUE COUNTY AND
SHERIFF DEPUTY FRED A. CASTLE,
Plaintiffs,

§
§
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§
§

IN THE DISTRICT COURT OF

V.

DALLAS COUNTY, TEXAS

CTC TRANSPORTATION, INC.,
PHILLIP MICHAEL HARGROVE,
DAN CLARK FAMILY, LP, AND
KC PARTNERS,
Defendants.

191ST JUDICIAL DISTRICT COURT

AGREED ORDER OF DISMISSAL WITH PREJUDICE

On this day came on to be heard Plaintiffs and Defendants as they hereby submit this Agreed Order of Dismissal with Prejudice and the Court having reviewed the papers on file in this cause and having heard argument of counsel, finds that it has jurisdiction over the parties and subject matter of this cause, and is of the opinion that said Order of Dismissal with Prejudice should be in all things granted in this case and this case be dismissed with prejudice as to the refiling of same, with all costs taxed against the party incurring same.

It is accordingly, ORDERED, ADJUDGED, and DECREED that this Agreed Order of Dismissal with Prejudice be and same is hereby granted in this case and this case is dismissed with prejudice, with all costs taxed against the party incurring same.

SIGNED this _____ day of _____, 2013.

JUDGE PRESIDING

AGREED AS TO FORM AND SUBSTANCE:

MCKAMIE KRUEGER & KNIGHT, LLP

WILLIAM W. KREUGER, III

State Bar No. 11740530

2007 N. Collins Blvd. Ste. 501

Richardson, Texas 75080

214/253-2600

214/253-2626 facsimile

Attorney for Plaintiffs

FEE, SMITH, SHARP & VITULLO, L.L.P.

BRYAN P. REESE

State Bar No. 00789791

Three Galleria Tower

13155 Noel Road, Suite 1000

Dallas, Texas 75240

972/934-9100

972/934-9200 facsimile


Attorney for Defendants

ORDER GRANTING
TEMPORARY (FOUR WEEK ONLY) PERMIT AND RIGHT-OF-WAY
 TO CONSTRUCT 10" ALUMINUM FRAC LINE

STATE OF TEXAS	X	EOG RESOURCES, INC.
	X	
COUNTY OF MONTAGUE	X	

Now, on this the 8th day of JULY, 2013, at a Regular Term and Session of the Commissioner Court of Montague County, Texas, can on to be considered the application of for a permit and right-of-way to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, and across or under the County Right-of-way, of ROCKY ROAD/TAGE ROAD, PCT. #2, the County of Montague, State of Texas, and the court having considered such application and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such TEMPORARY 10" ALUMINUM FRAC LINE should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to EOG RESOURCES, INC., to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, across, beside or under the County Right-a-way of ROCKYROAD/TAGE ROAD, PCT. #2, the County of Montague, State of Texas as described as a four week permit only.
2. That such TEMPORARY 10" ALUMINUM FRAC LINE shall be maintained as not to interfere with the use and occupancy of such roads by public.
3. That any adjustments of said TEMPORARY 10" ALUMINUM FRAC LINE , required for any County Right-of-way or any other improved County Road would be at 100 per cent cost to EOG RESOURCES, INC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said EOG RESOURCES, INC., its successors and assigns, without further grant or procedure.
5. That Montague County DOES NOT ALLOW any above ground lines to be laid on or beside roadways that are used to transfer Oil, Gas, or Salt Water Products.



 Tommie Sappington, Montague Co. Judge

STATE OF TEXAS	X	EOG RESOURCES, INC.
	X	
COUNTY OF MONTAGUE	X	

Before me, the undersigned authority, on this day personally appeared TOMMIE SAPPINGTON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 8TH day of JULY, 2013.

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 6/26/2013

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: ROCKY ROAD/TAGE ROAD COMMISSIONER PCT. 2

GPS Coordinates: Latitude _____ Longitude _____

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

10" ALUM FRAC LINE ROCKY ROAD APPROX 2950 FEET

10" ALUM FRAC LINE TAGE ROAD APPROX 2000 FEET

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 3091

Type of Water Used:

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

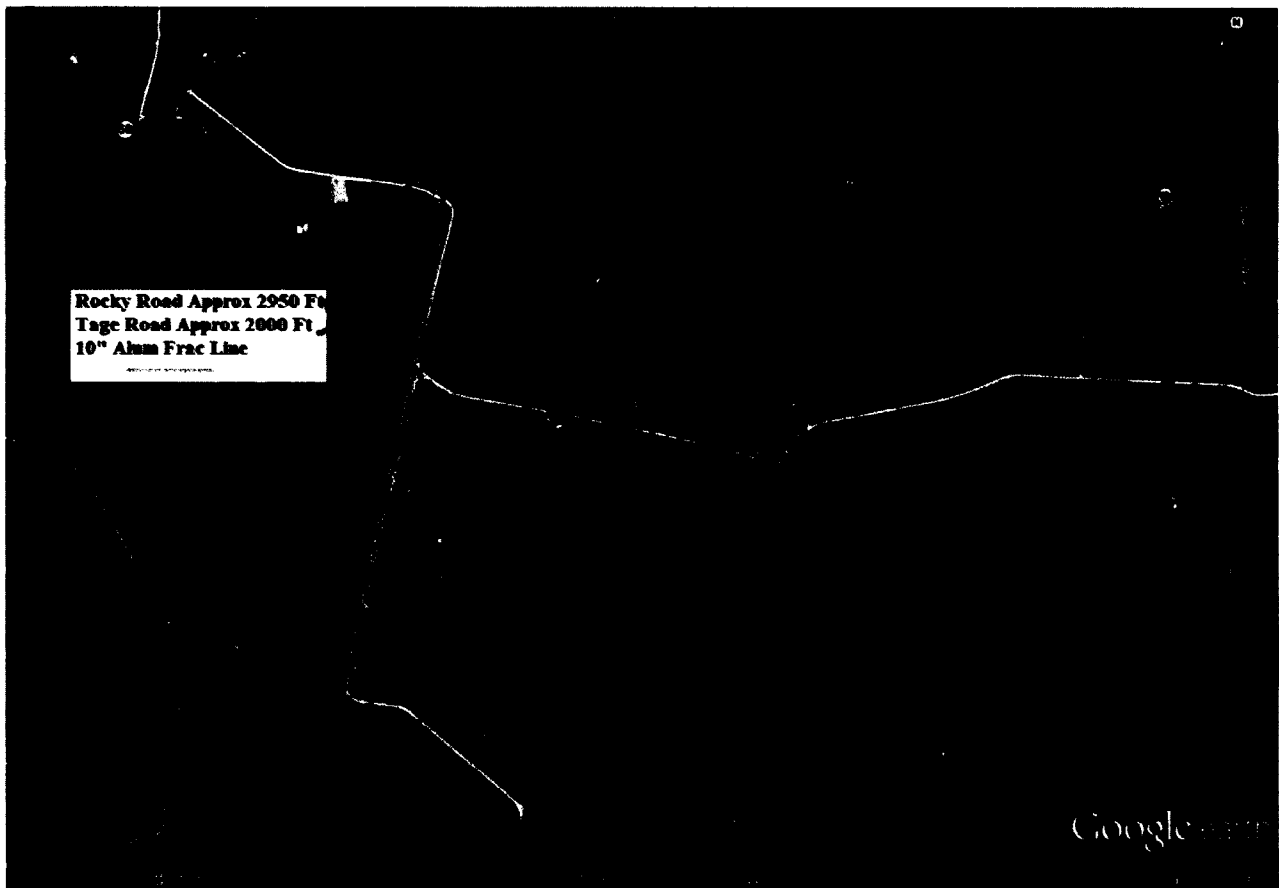
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 6/26/13

SIGNATURE *H. W. ...*

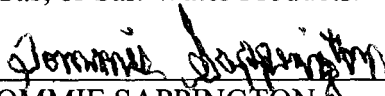


ORDER GRANTING
TEMPORARY (FOUR WEEK ONLY) PERMIT AND RIGHT-OF-WAY
 FOR TEMPORARY ROAD CROSSING

STATE OF TEXAS	§	EOG RESOURCES, INC.
	§	
COUNTY OF MONTAGUE	§	

Now, on this the 8th day of JULY, 2013, at a Regular Term and Session of the Commissioners' Court of Montague County, Texas, came to be considered the application for a permit and right-of-way to lay, construct, maintain, and operate a TEMPORARY ROAD CROSSING, along, over, and across or under the County Right-of-way, of APLEGATE ROAD, PCT. #3 the County of Montague, State of Texas, and the court having considered such application and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such TEMPORARY ROAD CROSSING should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to EOG RESOURCES, INC., to lay, construct, maintain, and operate a TEMPORARY ROAD CROSSING, along, over, across, beside or under the County Right-a-way of APLEGATE ROAD, PCT. #3, the County of Montague, State of Texas as described as a four week permit only.
2. That such TEMPORARY ROAD CROSSING, shall be maintained as not to interfere with the use and occupancy of such roads by public.
3. That any adjustments of said TEMPORARY ROAD CROSSING, required for any County Right-of-way or any other improved County Road would be at 100 per cent cost to EOG RESOURCES, INC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said EOG RESOURCES, INC., its successors and assigns, without further grant or procedure.
5. That Montague County DOES NOT ALLOW any above ground lines to be laid on or beside roadways, that are used to transfer Oil, Gas, or Salt Water Products.



 TOMMIE SAPPINGTON,
 Montague County Judge

STATE OF TEXAS	X	EOG RESOURCES, INC.
	X	
COUNTY OF MONTAGUE	X	

Before me, the undersigned authority, on this day personally appeared TOMMIE SAPPINGTON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 8TH day of JULY, 2013.

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 07/02/2013

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: APPLGATE ROAD COMMISSIONER PCT. 3

GPS Coordinates: Latitude 33 37 10 93 Longitude 97 54 19 38

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

TEMPORARY ROAD CROSSING USING CULVERT ON JACKSON RD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 3336/3337/3338

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	_____	Percentage

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)?
Yes No N/A

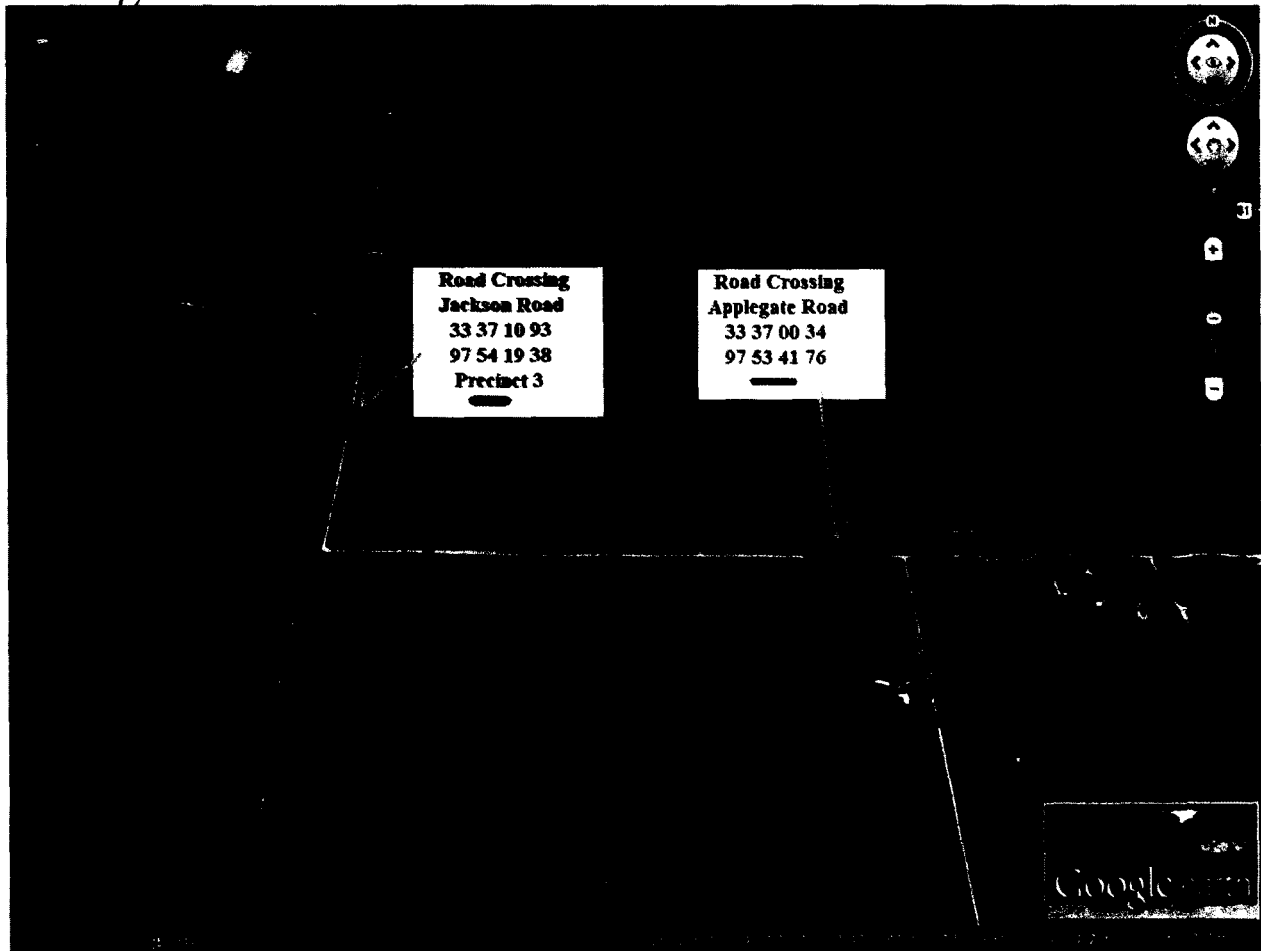
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 7/2/13

SIGNATURE [Signature]



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 06/26/13

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: TAGE ROAD COMMISSIONER PCT. 2

GPS Coordinates: Latitude 33.36 37 28 Longitude 97.45 29 07

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

TEMPORARY ROAD CULVERT CROSSING ON TAGE ROAD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 3091

Time of Water Used:

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 6/26/13

SIGNATURE Hugh



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 06/26/13

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: ROCKY ROAD COMMISSIONER PCT. 2

GPS Coordinates: Latitude 33.35 56 58 Longitude 97.45 37 68

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

TEMPORARY ROAD CULVERT CROSSING ON ROCKY ROAD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 3091

Type of Water Used:

Surface Water

Montague

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

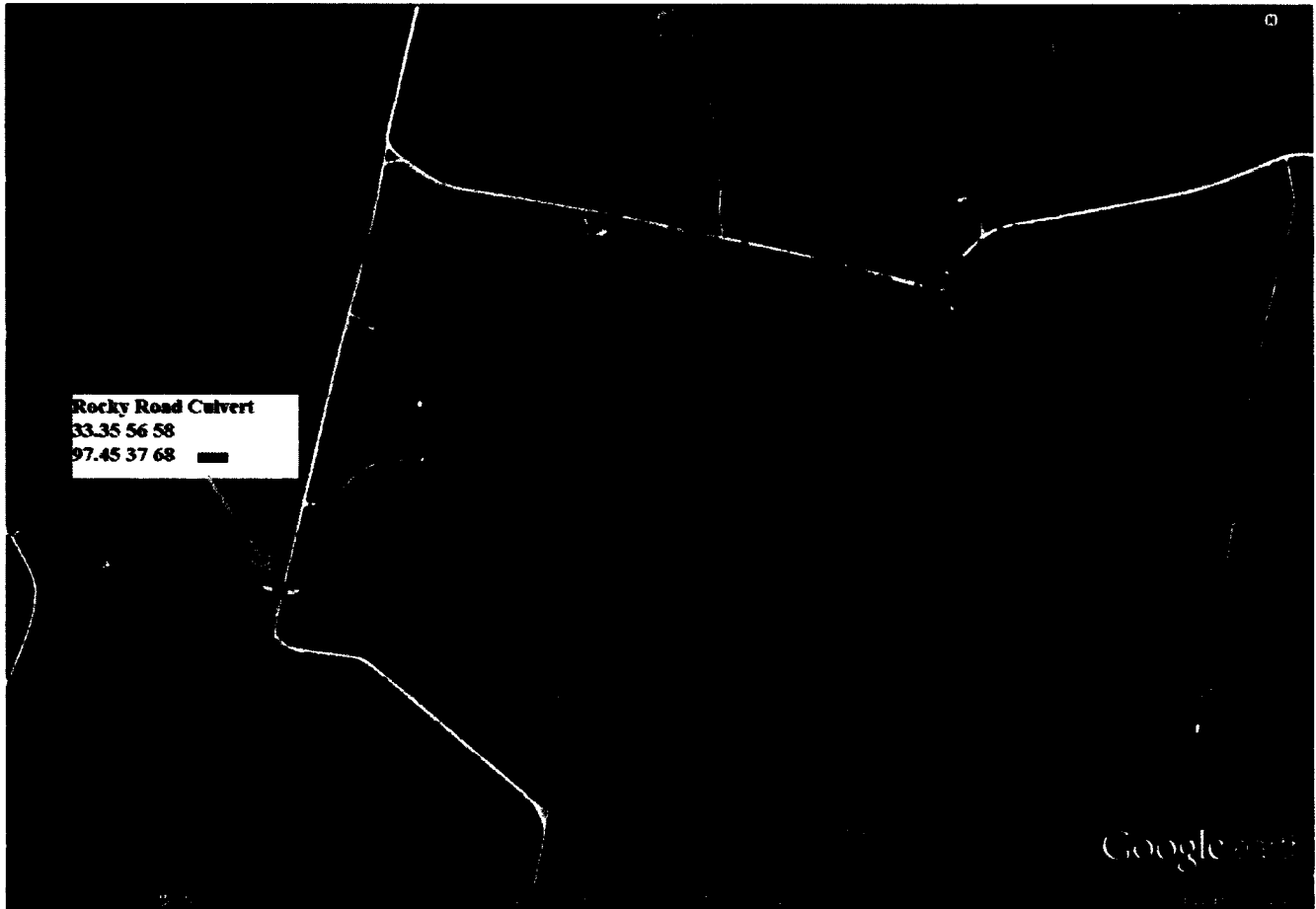
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 6/26/13

SIGNATURE *[Handwritten Signature]*

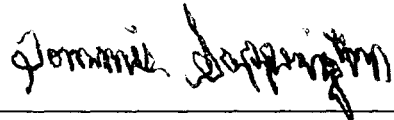


ORDER GRANTING
TEMPORARY (FOUR WEEK ONLY) PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT 10" ALUMINUM FRAC LINE

STATE OF TEXAS X EOG RESOURCES, INC.
X
COUNTY OF MONTAGUE X

Now, on this the 8th day of JULY, 2013, at a Regular Term and Session of the Commissioner Court of Montague County, Texas, can on to be considered the application of for a permit and right-of-way to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, and across or under the County Right-of-way, of **JACKSON ROAD, APPLGATE ROAD AND WENDELS ROAD, PCT. #2,** the County of Montague, State of Texas, and the court having considered such application and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such TEMPORARY 10" ALUMINUM FRAC LINE should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to **EOG RESOURCES, INC.,** to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, across, beside or under the County Right-a-way of **JACKSON ROAD, APPLGATE ROAD & WENDELS ROAD, PCT. #2,** the County of Montague, State of Texas as described as a four week permit only.
2. That such TEMPORARY 10" ALUMINUM FRAC LINE shall be maintained as not to interfere with the use and occupancy of such roads by public.
3. That any adjustments of said TEMPORARY 10" ALUMINUM FRAC LINE , required for any County Right-of-way or any other improved County Road would be at 100 per cent cost to **EOG RESOURCES, INC.**
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said **EOG RESOURCES, INC.,** its successors and assigns, without further grant or procedure.
5. That Montague County **DOES NOT ALLOW** any above ground lines to be laid on or beside roadways that are used to transfer Oil, Gas, or Salt Water Products.



Tommie Sappington, Montague Co. Judge

STATE OF TEXAS X EOG RESOURCES, INC.
X
COUNTY OF MONTAGUE X

Before me, the undersigned authority, on this day personally appeared **TOMMIE SAPPINGTON,** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 6/18/13

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #11 DECATUR, TEXAS 76234

CONTACT PERSON: SETH STOUT TELEPHONE NO. 903-243-1814

ROAD NAME: Jackson Rd, Applegate Rd & Wendels Rd

COMMISSIONER PCT. 2

GPS Coordinates: Latitude N N/A Longitude W N/A

TEMPORARY PERMANENT PLAT
 ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

10" Aluminum Frac Lines

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 3512

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 6-24-13

SIGNATURE [Signature]

