

# Stonebridge Estates, Phase 2

## Appendix A

### SUBDIVISION APPLICATION CHECKLIST

**The following tasks must be completed by the developer prior to filing any application for subdivision approval:**

- Meet with the Precinct Commissioner and Development Officer at least 15 days prior to the date of filing the application of the subdivision property, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process.
- Confirm whether the planned subdivision will be classified as First or Second Tier.
- Check the proposed subdivision name for conflicts or similarly named subdivision that is not a subsequent phase of an existing subdivision.

**The following items must be included in any plat application for approval of a First Tier subdivision:**

- A plat of the proposed subdivision in compliance with these regulations.
- A written, affirmative acknowledgement of the requirements in Section 1.2.
- Five (5) copies of the plat; 1 Mylar and 4 regular paper copies.
- A digital map or a certificate regarding the availability of a digital map.
- A certificate from the Upper Trinity Groundwater Conservation District that the proposed subdivision will have adequate water availability.
- A survey of the proposed subdivision in compliance with these regulations.
- A certificate from the surveyor who prepared the plat and survey in substantially the form as Appendix E.
- A description by the developer of the manner and means of providing drinking water, sewerage, roads, electricity, and drainage structures.
- All engineering specifications, drawings, and plans for infrastructure to be constructed comprising a plat application in compliance with these regulations.
- A certificate from each engineer confirming compliance of their specifications, plans, and drawings, in substantially the form as Appendix F.

✓

A certificate from NORTEX confirming the road names or numbers reserved for roads laid out in the subdivision.

✓

Tax certificates confirming that no property taxes are due and unpaid for the subdivision.

✓

A certificate from the developer confirming that approval of the plat application and filing of the plat does not mean that the County will be responsible for maintenance of subdivision roads and streets.

✓

If water, sewerage, and electricity <sup>Wise Electric</sup> are to be provided by a public utility, the developer must submit an executed public utility certificate in substantially the form as Appendix D.

✓

If water is to be provided by private well, a Disclosure Statement shall be provided to the buyer prior to closing disclosing the nature of provision of water, together with certification of water availability and quality.

✓

If OSSF is included in the plat application, a certificate from the Montague County OSSF Inspector or Development Officer stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements or lot frontage, street width and all-weather capacity to handle emergency vehicles.

NA

If fire hydrants or filler plugs are included in a plat application, a certificate from the public utility serving the subdivision to confirm sufficient water capacity is available to operate the fire hydrants or filler plugs.

VVV

All fees due to the County for the filing of an application must be paid to the County Clerk contemporaneously with the submission of the application.

*Subdivision, Floodplain, Filing*

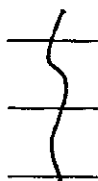
**The following items must be included in any application for approval of a Second Tier subdivision:**

NA

A plat of the subdivision showing the area/acreage of each lot or tract. Lots must have a minimum of sixty (60') feet of frontage to the adjoining street.

NA

Certificates from the developer confirming the following:



Availability of water and sewage service.

Compliance with set-back lines.

Disclosure and Dedication of all necessary utility easements.

?      Confirming the installation of culverts in compliance with the County ordinance on culverts.

NA      If OSSF is proposed for the Second Tier subdivision, a certificate from the Montague County OSSF Inspector or Development Officer stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements, street width and all-weather capacity to handle emergency vehicles.

NA      A survey that shows sufficient topographic information adequate to demonstrate that the proposed subdivision will adequately drain and that any proposed development will not alter the natural flow of water to adjoining properties.

NA      All fees due to the County for the filing of an application must be paid to the County Clerk contemporaneously with the submission of the application.

**After an application is approved, the developer must:**

  ✓      File a plat of the proposed subdivision in compliance with these regulations.

            Meet with the Precinct Commissioner to review all materials used in constructing roads in the subdivision.

            Ensure that the work described in the plat application is completed in a good and workmanlike manner, in accordance with these regulations, the plat application, and any conditions of the order approving the application.

            Advise the Precinct Commissioner of the status of construction prior to expiration of any construction deadline.

  ✓      All fees due to the County for an approved application must be paid to the County Clerk no later than ten (10) days after the approval of the application.

  ✓      Submit proof of any required financial security to the Precinct Commissioner no later than thirty (30) days after the approval of the application.

**RLI Insurance Company  
Site Improvement  
Performance Bond**

BOND NO. CMS0386575

KNOW ALL PERSONS BY THESE PRESENTS:

That we, Texas Land Holdings I, LLC, as Principal, and RLI Insurance Company, a corporation organized and existing under the laws of the State of Illinois and licensed to do business in the State of Illinois as Surety, are held and firmly bound unto Montague County Judge Kevin Benton or his successors in office as Obligee, in the sum of Six Hundred Five Thousand Nine Hundred Ninety Nine and 00/100 (\$605,999.00) Dollars, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally firmly by these presents.

WHEREAS, the Principal, has entered into an agreement with the Obligee, guaranteeing only that Principal will complete site improvements as per the estimate prepared by Swaim Engineering & Surveying attached to and made a part hereof at certain land known as Block 25 Hill County School Land Survey, Abstract No. 319 Montague County, Texas (Stonebridge 2 Subdivision) all of which improvements shall be completed on or before the date set forth in the agreement or any extension thereof, and the Principal provides this bond as security for such agreement.

NOW THEREFORE, the condition of this obligation is such, that if the above Principal shall carry out all the terms of said agreement relating to the site improvements only and perform all such work as set forth in the attached agreement, then this obligation shall be null and void, otherwise, to remain in full force and effect.

No party other than the Obligee shall have any rights hereunder as against the Surety. The aggregate liability of the Surety on this bond obligation shall not exceed the sum stated herein for any reason whatsoever.

SIGNED, SEALED AND DATED THIS 23rd DAY OF January, 2025.

PRINCIPAL

Texas Land Holdings I, LLC

(SEAL)

BY: [Signature]  
(NAME & TITLE)

SURETY

RLI Insurance Company

(SEAL)

BY: [Signature]  
Lauren Blair  
Attorney-in-Fact

# POWER OF ATTORNEY

## RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615  
Phone: 800-645-2402

### Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company and/or Contractors Bonding and Insurance Company, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Mark R. Duggan, Kevin E. McDaniel, James R. Dickson, Margaret M. Spalding, Lauren Blair, jointly or severally

in the City of Memphis, State of Tennessee its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

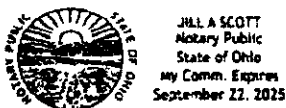
IN WITNESS WHEREOF, the RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Sr. Vice President with its corporate seal affixed this 15th day of August, 2024.

RLI Insurance Company  
Contractors Bonding and Insurance Company  
By: Eric Raudins Sr. Vice President

State of Illinois }  
County of Peoria } SS

On this 15th day of August, 2024, before me, a Notary Public, personally appeared Eric Raudins, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

By: Jill A. Scott  
Jill A. Scott Notary Public



### CERTIFICATE

I, the undersigned officer of RLI Insurance Company and/or Contractors Bonding and Insurance Company, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 23rd day of January, 2025.

RLI Insurance Company  
Contractors Bonding and Insurance Company  
By: Jeffrey D. Dick Corporate Secretary

# SWAIM

ENGINEERING & SURVEYING

506 N. Mason St.  
Bowie, Texas 76230  
(940) 872 - 5075  
www.swaimengineering.com

Client: Stonebridge 2

File: const\_cost\_est

Project: Subdivision Improvements

Date: 12/24/2024

By: jgs

## STATEMENT OF PROBABLE COST

Item	Description	Quantity	Unit	Price	Amount
1	Mobilization/Insurance/Cleanup	1.00	ls	\$90,689.80	\$90,690
2	Site Clearing	3.20	ac	\$3,000.00	\$9,600
3	Unclassified Excav & Emb	9215.00	cy	\$3.00	\$27,645
4	6" Base Material	6865.00	sy	\$22.00	\$151,030
5	Asphalt Paving	47849.00	sf	\$2.90	\$138,762
6	Erosion Control	1.00	ls	\$10,000.00	\$10,000
7	Signage and Pavement Markings	5.00	ea	\$3,500.00	\$17,500
8	Misc Drainage Culverts	4.00	ea	\$25,000.00	\$100,000
9	Site Utilities / Electrical	1.00	ls	\$60,772.00	\$60,772
<b>TOTAL</b>					<b>\$805,999</b>

This statement was prepared utilizing standard cost estimating practices. It is understood and agreed that this is an estimate only, and the Engineer shall not be liable to the Owner or to a third party for any failure to accurately estimate the cost of the project, or any part thereof.



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1859 W. HWY 199  
SPRINGTOWN, TX 76082

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December 19<sup>th</sup>, 2024

via email: [co.judge@co.montague.tx.us](mailto:co.judge@co.montague.tx.us)

Kevin Benton – Montague County Judge  
Montague County Commissioners Court  
11339 TX-59  
Montague, TX 76251

RE: Groundwater Availability Certification Report – StoneBridge Phase 2

Judge Benton and Members of the Court,

Montague County (the “County”), as authorized by Section 232.0032 of the Texas Local Government Code, requires applicants seeking to plat certain tracts of land for which groundwater under that land is intended to be the source of supply to provide a statement prepared by a geoscientist licensed to practice in Texas or an engineer licensed to practice in Texas certifying that adequate groundwater is available for the subdivision in accordance and in compliance with the rules of the Texas Commission on Environmental Quality (TCEQ) set forth in Title 30, Texas Administrative Code, Chapter 230 (the “Groundwater Availability Certification” or “GAC”).

In order to ensure compliance with the law and to facilitate cooperation between the County and the Upper Trinity Groundwater Conservation District (“the District”) in instances where a GAC is required for a proposed subdivision of a tract of land and to ensure that, prior to receiving an approved plat from the County, such an applicant certifies adequate groundwater availability, the County and the District have entered into an interlocal agreement whereby the District reviews the GAC of the applicant and provides a report of its review to the County with certain recommendations. As set forth in the interlocal agreement, this report sets forth the opinions and recommendations of the District through its General Manager and staff to the County for the County’s consideration in making a decision on the plat application.

This transmittal letter includes summaries of both the results submitted as part of the Plat Applicant’s certification as well as the District’s recommendations related to the Groundwater Certification Statement related to the proposed Stonebridge Phase 2 Subdivision. Please note that the District’s recommendations are non-binding suggestions and are meant to supplement the information provided to aid the County’s decision-making process.

Additionally, all District recommendations are based on the best available science and other relevant data available to the District.

(817) 523-5200 PHONE

(817) 523-7687 FAX



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### Summary of the Certification Statement:

The plat applicant's pump test data and subsequent calculations produced the following projections for the upper portion of the Cisco Group of the Cross Timbers Aquifer, which is proposed to serve the projected community:

- The applicant projected the following impacts at the test well, completed to 440 feet below surface (this analysis assumes no other pumping wells).
  - 10-year estimated drawdown of 2.7 feet.
    - Static water level after 10 years –126.1 feet below ground surface
  - 30-year estimated drawdown of 4.5 feet.
    - Static water level after 30 years – 127.9 feet below ground surface
- The Certification Statement recommends a minimum spacing of 250 ft. between water wells.
- The Certification Statement recommends a produced well yield rate of 0.18 GPM, which is inappropriate to recommend and likely impossible to achieve. A more realistic recommendation was listed on the second form, which included verbiage of “10-15 GPM”. However, the applicant did not explicitly specify a yield.
- Almost certainly, wells in the area will be drilled and completed to produce much more than 0.18 GPM.
  - Modeling conducted by the District produced the following anticipated drawdowns.
    - 0.18 GPM: 0.22 ft. at the test well site over 10 years and 0.24 ft. over 30 years (assuming no additional wells),
    - 10 GPM: 14.0 ft. at the test well site over 10 years and 15.0 ft. over 30 years (assuming no additional wells),
    - 15 GPM: 20.0 ft. at the test well site over 10 years and 22.0 ft. over 30 years (assuming no additional wells).
- The modeled 10-year cone of depression for the test well was 255 ft.
- The modeled 30-year cone of depression for the test well was 295 ft.
- The plat applicant calculated a well efficiency of 0%.
  - The accepted established threshold for well efficiency is approximately 65-70%.
  - This value is impacted by the applicant's projected water demand, aquifer parameters, and well construction.
- The applicant did complete the entire water quality portion of the test.
  - The results that were collected all occurred within the threshold of primary water standards established by the EPA and regulated by the TCEQ.
  - The applicant's results indicated presence of Iron (0.898 mg/L) EPA secondary standards. While the potential health impacts of these constituents are outlined in Appendix C, they can cause potential issues with wellbore integrity (clear screens) and pump equipment if not addressed with filtration and regular





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maintenance. Future landowners should consider investing in full panel water analysis prior to human consumption.

- The applicant provided most of the required maps, graphs, data, formulas, and variables for assessing the potential of well interference on the property and how it would impact anticipated drawdown levels at 10 years and 30 years.

Below are some concerns identified by District Staff.

- The applicant recommended different yields for the proposed subdivision in their 230 form, including 0.18 GPM and 10 GPM – 15 GPM. District staff are unsure as to which the applicant recommends, and staff modeled in-house district projections on the highest volume.
- The applicant listed a specific capacity of 0.377 gal/feet, however based on the calculations given, the rate and drawdown the value is instead 0.556 gal/feet (which is the rate of the pump test divided by the drawdown). The District is unsure why the value was modified.
- The applicant provided their readings and well level data for their pump testing after requests via the deficiency letter. The frequency of all data collected, especially recovery data, appeared to not meet the intent of the requirements set forth in 230 which state the applicant should collect recovery readings at the same frequency as drawdown readings.
- The applicant entered the time value for the pump testing in days, instead of minutes. Subsequently this impacted the submitted storativity value in the certification. District staff remodeled the data with the correct time values and produced a more likely storativity value for the aquifer formation.
- The applicant used well spacing in the Aqtesolv modeling program that differed to the well locations within the proposed subdivision. 450 feet was used when District staff measured 467 feet.
- The applicant's well efficiency value was modified between the submitted 230 forms from 60% to 0%. However, District staff think they have identified the errors associated with the well efficiency calculations, which included a modified time and storativity value.
- The applicant's water quality results indicated the presences of coliform bacteria within the sample; however the 230 form did not reflect their presence. While the applicant's geoscientist stated in their deficiency letter that "fecal coliform bacteria" presences can be the result of cross contamination, the value should still be made clear to homeowners and decision makers related to overall water quality.
- For additional clarification, "fecal bacteria" is usually a term associated with E. coli, which was not present in this sample. Coliform bacteria are under a larger umbrella of organisms, and information on that group can be found in the water quality appendices.
- District staff are aware the applicant indicated what they identified as a recharge boundary at the pumping test well site between  $t=12$  and  $t=14$ , based on the recovering



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water level between those intervals. District staff are unsure however, why the other water level increase later in the report (between  $t=100$  and  $t=200$ ) was not also designated as a recharge boundary. The lithologic log indicated clays and fine-grained materials where these boundaries were claimed to exist.

- The applicant did not address a significant source of latent contamination with the presence of petroleum and petroleum by-products at an adjacent property. District staff commenced testing of the onsite testing wells for volatile organic compounds, many of which are related to or are petroleum by-products. Future homeowners should be made aware prior to purchase so they may allocate financial resources to appropriate filtration and treatment. When the results of the testing are available, District staff will make the county and the applicant aware of the results.

#### **District Recommendations:**

The water wells used in the study were completed to a depth approximately 440 feet below surface, into the Cisco portion of the Cross Timbers group of aquifers. The Certification Statement addresses only the Cisco portion of the Cross Timbers group at the project location.

The following recommendations are based on utilizing the Cross Timbers as the source of water for the proposed subdivision.

Currently, there are no DFCs for the Cross Timbers Aquifer, because historically this aquifer was considered nonrelevant for the purposes of the joint planning process, which made the establishment of a DFC very difficult. The designation of nonrelevant was not based on the actual use, or lack thereof in the aquifer, but on the lack of a proper groundwater availability model (GAM) to project future impacts to the aquifer at a regional level. However, the Texas Water Development Board is currently in the process of developing a GAM for the Cross Timbers, and once that GAM is completed, the District will be able to adopt DFCs for the Cross Timbers in the next several years.

Based on the data provided in the Certification Statement, other relevant data, and modeled simulation results, the District concurs with the applicant's recommendation and recommends a minimum spacing requirement of 250 ft. between water wells, however landowners should consider greater spacing between water wells. This is based on results from the actual aquifer test performed for the project. During that test, the applicant drilled two new wells on the property, located approximately 467 feet from the pumping well; during the test it was clearly demonstrated that the extent of pumping impact was seen in the observation well (see results discussed earlier in the report). During the 24-hour pump test, water levels in the observation well fell 5.1 feet.

In agreement with the recommendation on the Certification Statement, and in order to minimize the immediate impact of any new well, the District concurs with the applicant and recommends a



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maximum production capacity of 10 gallons per minute for each well within the proposed subdivision. It is unclear if this could be enforced, either legally or logistically, but it might be worth considering a requirement to place a statement on the face of the plat identifying this recommendation. Realistically, all wells drilled in the proposed subdivision will likely be completed in such a way that they produce the maximum flow rate possible, generally up to 17.36 GPM.

The impacts of the proposed pumping are not only dependent upon the flow rate of the water wells but also the projected water demands of the landowners. The District highly encourages landowners to utilize conservation methods to minimize the pumping impacts within the subdivision as outlined in section 5.4 of the report. Landowners should also consult Railroad Commission databases to identify potential oil and gas infrastructure on or near their property. This can be found at <https://www.rrc.texas.gov/resource-center/research/gis-viewer/>.

Ultimately, it is our determination that the Certification Statement provided by the plat applicant generally conforms with the requirements set forth in Title 30, Texas Administrative Code, Chapter 230. In addition, it is also our opinion that the findings presented in the Certification Statement are within reason and any shortcomings have been identified in the accompanying report.

Accompanying this letter please find UTGCD Report 24-014 which provides further information and details related to this project. Please feel free to contact me at [doug@uppertrinitygcd.com](mailto:doug@uppertrinitygcd.com) or (817) 523-5200 with any questions.

Thank you,

Doug Shaw  
General Manager