

FOR SALE

903 Acres

**Brazos River Bottom, Crop & Cattle Land
Marlin, Falls County, TX 76661**

\$5,000,000

For a virtual tour and investment offering go to: www.texasfarmandranchrealty.com



Bob Dube 254-803-5263 (LAND) 512-423-6670 (mobile)

bob@texasfarmandranchrealty.com www.texasfarmandranchrealty.com

A DBA of Dube's Commercial, Inc. TREC# 484723

**FOR
SALE**

903 Acres - Brazos River Bottom, Crop & Cattle Land

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Location – 3.5 miles NW of Marlin, Falls County, Texas.

Acres – 903 acres MOL acres according to the FCAD and survey dated 2007.

Improvements – Rustic home is approximately 1,800sq ft. built in 2005. Currently under lease through April 30, 2017 at \$600.00 a month.

Equipment Barn

Drill stem working and holding pens

Work Shop & Barn

Horse Shed

1 1960's vintage home used for storage

1 1960's recently remodeled home and is currently leased through April 30, 2016 at \$450.00 a month.

Fencing - Entirely fenced with cross fencing. 80% of the fencing was installed in 2005
Approximately one mile of road frontage

Water – There are 2 ponds, approximately 1.1 miles of Brazos River frontage, and 5 water wells. The property comes with access to 200 acre feet of adjudicated riparian water rights that have a superior date of 1925. This water right is the oldest and most superior water right in Falls County. Injection points are registered with the TCEQ. A copy of the adjudicated document can be found in the body of this brochure. The ground water has not been severed and comes with the sale of the property.

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

Soil – There are various soil types on the property. Please refer to the USDA Soil Map located in this brochure for soil types. Flood information is available on the report as well.

Easements – Brazos Valley Electric has an electric easement that follows the frontage road and the areas that branch to service areas within the ranch (house, barns, and water wells).

Minerals – Owner owns approximately 28% of the minerals which all will convey to buyer.

Gravel & Sand – The gravel & sand rights have not been severed and comes with the sale of the property. Preliminary investigations indicate gravel is located on the property.

Air Rights – The air rights have not been severed and comes with the sale of the property.

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

Current Use – Privately owned and cropland is leased out with lease expiring on 9/30/16. The remainder land is used for hay and grazing for a cattle ranch operation. Recreational use is for hunting deer, hog, and fishing. Bald eagles also have a nest on the property.

Ground Cover – Approximately 635 acres is in rich cultivated river bottom land. Approximately 220 acres is in Coastal Bermuda/native grasses for hay and cattle grazing. Remaining property is a Pecan tree grove and fenced off areas from the river that are reserved and used as wildlife and hunting recreational areas.

Price - \$5,000,000 or \$5,537 per acre



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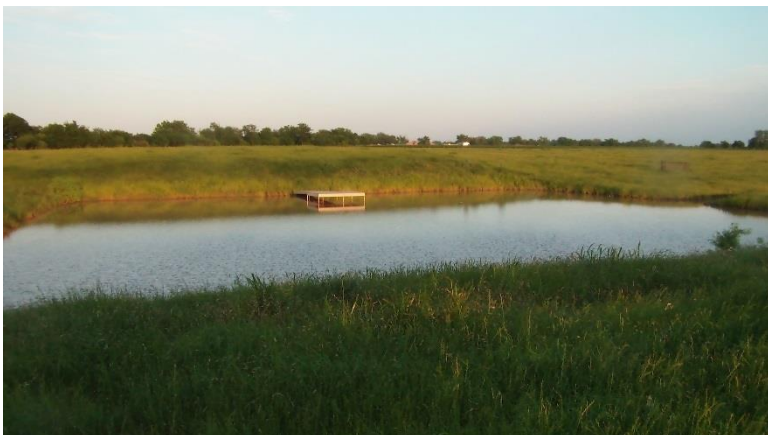
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Stewards of Land
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903 Acres - Brazos River Bottom, Crop & Cattle Land

Property Pictures



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903 Acres - Brazos River Bottom, Crop & Cattle Land

Property Aerial View



903 Acres - Brazos River Bottom, Crop & Cattle Land

A detailed map of Texas with a red star marking the location of 'Subject' near Waco. The map shows major cities, highways, and state parks. The word 'Subject' is written in large white text next to the red star. The map includes labels for cities like Fort Worth, Dallas, Austin, Houston, and San Antonio, as well as highways like I-20, I-35, and I-10. State parks like Abilene State Park and Lake Brownwood State Park are also labeled.



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Approximate Locations of Existing Water Wells



TEXAS
FARM & RANCH REALTY

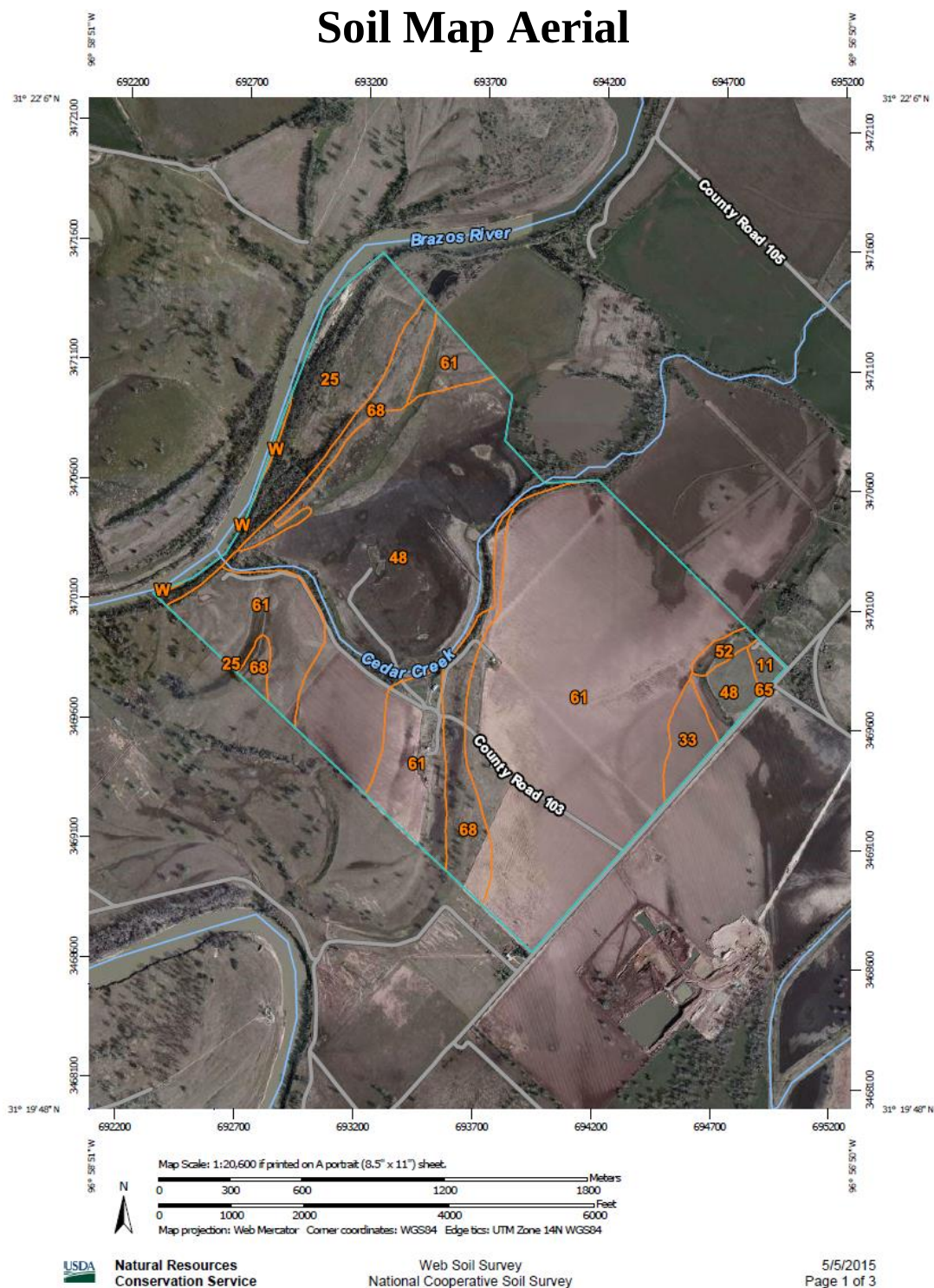
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Soil Type Legend

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



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Soil Type - 11

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

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

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

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

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

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

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



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Soil Type - 25

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

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

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

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

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

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

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

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



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Soil Type - 33

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

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

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

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

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

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

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

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



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Soil Type - 48

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

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

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

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

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

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

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

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



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Soil Type - 52

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

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

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

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

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

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

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

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



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Soil Type - 61

61—Weswood silty clay loam, 0 to 1 percent slopes.

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

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

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

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

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

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

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

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



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Soil Type - 65

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

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

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

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

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

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

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

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



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Soil Type - 68

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

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

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

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

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

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

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

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



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Adjudicated Water Rights

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 13, 2009

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

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

Dear Mr. Dube:

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

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

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

Very truly yours,

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

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



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Adjudicated Water Rights

02/03/99 15:10 512 239 4770

TNRCC FLOOD MGMT

002/003

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 12-4346

OWNER: W. J. Dube
5614 2nd Street
Katy, Texas 77450

COUNTY: Falls

PRIORITY DATE: August 28, 1925

WATERCOURSE: Brazos River

BASIN: Brazos River

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

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

1. USE

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

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

2. DIVERSION

A. Location
At two points on the Brazos River in the George A. Morgan Grant, Abstract 45, Falls County, Texas.

B. Maximum combined rate: 1.33 cfs (600 gpm).

3. PRIORITY

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

4. SPECIAL CONDITION

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



Bob Dube 254-803-5263 (LAND) 512-423-6670 (mobile)

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FOR
SALE

903 Acres - Brazos River Bottom, Crop & Cattle Land

Adjudicated Water Rights

02/03/98 15:11 512 238 4770

TNRCC FLOOD MGMT

003/003

Certificate of Adjudication 4346

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

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

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

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

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

TEXAS WATER COMMISSION

Paul Hopkins
Paul Hopkins, Chairman

DATE ISSUED:

JUN 10 1998

ATTEST:

Mary Ann Heffner
Mary Ann Heffner, Chief Clerk



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A DBA of Dube's Commercial, Inc. TREC# 484723

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PERMIT
TO
APPROPRIATE PUBLIC WATERS
OF THE
STATE OF TEXAS

NO. 904.

WHEREAS, W. D. KYGER,
the postoffice address of Whom is Marlin, Texas;
did on the 20th day of August, A. D. 1925, file with the Board of Water Engineers
for the State of Texas, his application, No. 975, for a permit to appropriate from the public re-
sources of the State of Texas sufficient water for the purpose of irrigation, and

WHEREAS, the Board of Water Engineers did on the 20th day of September,
A. D. 1925, at its office in Austin, Texas, hold a public hearing, as prescribed by law, at which hearing all
the evidence affecting said application was duly heard and considered, and in pursuance thereof did make and
cause to be entered an order granting said application.

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

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

not to exceed 254 acre-feet of water per annum, the rate of diversion not to exceed six cubic
feet per second of time, or so much thereof as may be necessary, when beneficially used, for the purpose of
irrigating the following described lands, to wit:

Beginning on the E. bank of the Brazos River at S. or lower
of George Morgan league; thence with the S. E. line of said Morgan
League No. 4E E. 15011 feet to the E. corner of what is locally known
as the W. S. Lenoir tract; thence N. 47 W. 1444 feet to a point for the
beginning of this tract; thence N. 47 W. 2977 feet to corner; thence N. 44
E. 485 feet; thence E. & S. 1166 feet to the bank of the river; thence
S. 82 E. 506 feet to corner; thence S. 40-1/2 E. 1055 feet; thence E.
84 E. 511 feet to the point located for the pumping station; thence N.
78-1/2 E. 1003 feet; thence S. 45 E. 500 feet; thence S. 7 W. 3267
feet to place of beginning, containing 187 acres of land.

FILE COPY
STATE BOARD OF WATER ENGINEERS
AUG 25 1925
BO RIVER BOTTOMS WATER OFFICE

TEXAS
FARM & RANCH REALTY

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Adjudicated Water Rights

PROVIDED, that the said G. B. KYBER,

the beneficiary under this permit is authorized to install a pumping plant, said pumping plant to consist of a six inch Fairbanks Morse Centrifugal pump, operated by a Fordson Tractor, 22 H. P., having a height of lift of thirty (30) feet; the said pumping plant to be located at a point which bears 15011' N. 43 E. 1444' W. 47 W. 3267' N. 7 E. 500' W. 46 W. 1000' S. 78-1/2' E. from the S. or lower corner of Geo. Morgan Survey, in Falls County, Texas, and is distant in a Northwesterly direction from Harlin, Texas, six miles, and to divert therefrom not to exceed three hundred thirty-four acre feet of water per annum for the irrigation of not to exceed one hundred sixty-seven (167) acres of land hereinbefore described.

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

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

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

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

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

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

ATTEST:

A. M. McDonald
Secretary.

G. B. Kyber
G. B. Kyber
G. B. Kyber
BOARD OF WATER ENGINEERS.

TEXAS
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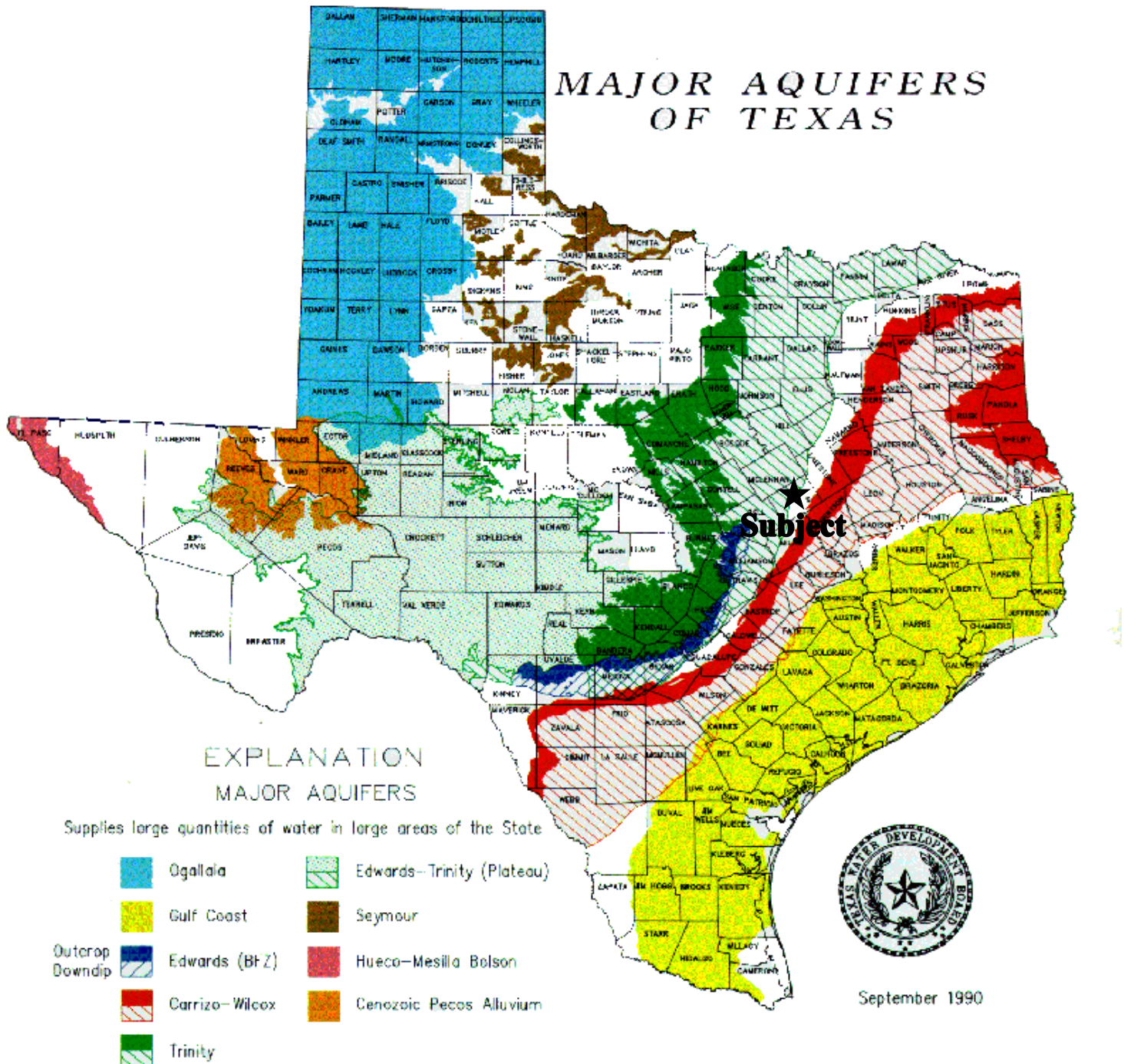
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Property Location to Major Aquifers of Texas



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Information About Brokerage Services

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an

intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

(1) shall treat all parties honestly;

(2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;

(3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and

(4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

If you choose to have a broker represent you, you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>)

(TAR-2501) 10-10-11

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