



**Hidalgo County
Planning
Department**

T.J. Arredondo, CFM
Director of Planning

Main Office

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Edinburg, Texas 78542
Phone (956) 318-2840
Fax (956) 318-2844

Engineering Projects Office

902 N. Doolittle Road
Edinburg, Texas 78542
Phone (956) 292-7080
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Precinct No. 1 Substation

1902 Joe Stephens Ave.
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Phone (956) 968-4734
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Precinct No. 3 Substation

2401 N. Moorefield Road
Mission, Texas 78572
Phone (956) 205-7045
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PIPELINE AND UTILITY PERMIT APPLICATION PACKET

THE STATE OF TEXAS

COUNTY OF HIDALGO

**APPLICATION AND AGREEMENT FOR PIPELINE OR
UTILITY PERMIT**

Date: 9/7/2018

Texas Gas Service (hereinafter referred to as "Applicant") does hereby make application to the Hidalgo County through the Hidalgo County Planning Department (hereinafter referred to as "HCPD") to construct, maintain and repair pipelines or utilities across the easements, right-of-ways, property or property interest as described below.

Information required:

1. Name and Address of Applicant:

Juan de Dios Hernandez

1200 E Upas Ave. McAllen Tx 78501

2. Name and Address of company or agency owning Pipeline or Utility (please indicate if same as Applicant):

same as applicant

3. Name and Address of operator of Pipeline or Utility (please indicate if same as Applicant):

same as applicant

4. Name and Address of contractor to install Pipeline or Utility:

Nexus Integrity Management, LLC

3606 Wow Road, Corpus Christi, Texas 78413



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5. Estimated date of installation of Pipeline or Utility:

9/19/2018

6. Location of Pipelines or Utilities (Tract No., Survey, Abstract No.):

Near lot 15, Block 17 of Alamo Land and Sugar Co.

The line is on ROW which is dedicated by plat.

7. Hidalgo County road right-of-way, property or property interest to be crossed:

Tower Rd

8. Names and Addresses of fee owners of property involved and copy of Pipeline or Utility easements acquired:

No property owners will be notify since it;s on public ROW

9. Number and size of lines:

Line 49/1 Seg 1 (4" in diameter)



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10. Pressure (each line):

325 psig

11. Content (each line):

Natural Gas

12. Is this a common carrier pipeline or utility? If yes, please submit the Applicant's Texas Railroad Commission Form "T-4" or similar form designating the facility:

attached after Exhibit A

13. Does Applicant have the Power of Eminent Domain?

Yes

14. Will the product be carried for hire or by the owner of the goods?

owner of the good

15. Where is the origin of the line?

26.128166 -98.124631

16. Where is the destination of the line?

Texas Gas Service - Pipeline system

17. Utility Crossing Coordinate X: 26.106197 Y: -98.124249
(NAD 83 Texas South FIPS 4205 feet)



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If requested permit is granted by HCPD, Applicant, in consideration thereof, agrees and binds itself as follows:

1. All pipelines or utilities herein will be horizontally placed within the right-of-way as determined by HCPD and at a minimum depth of five (5) feet below natural ground. Depth, horizontal, and vertical location shall be confirmed by HCPD Inspectors.
2. Location map, profile, and plans concerning the proposed pipeline or utility crossing will furnished with this application.
3. HCPD will be notified in writing ten days prior to the beginning date of construction under this permit.
4. Applicant will bear the entire expense of all future relocations of any pipelines or utilities should such relocation, at the sole discretion of the Hidalgo County Commissioners Court, be necessary for improvements, alteration, or maintenance of the Hidalgo County's easement or property of interest.
5. Applicant will notify the HCPD at least 48 hours prior to covering work and or completion of its work and removal of its equipment from the job site to permit HCPD to make an inspection.
6. Upon notification by the HCPD, the Applicant will promptly repair or rectify any deficiency or condition caused by the Applicant's operations or installations under this permit. Applicant will leave easement in as near the same condition or better, in the HCPD's sole judgment, as it existed prior to the commencement of the operations under this permit.



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7. Hidalgo County shall not be liable or responsible for, and shall be saved and held harmless by Applicant, and further shall be indemnified by Applicant, from and against any and all suits, actions, losses, damages, claims, or liability of any character, type, or description, including all expenses of litigation, court costs, attorney's fees, and engineering fees for injury or death to any person, or injury to any property, received or sustained by any person or persons or property, arising out of, or occasioned by, directly or indirectly, the performance of Applicant under this agreement, including claims and damages arising in part from the negligence of the Hidalgo County.

It is the expressed intent of the parties to this agreement that the indemnity provided for in this section is extended by Applicant to indemnify and protect Hidalgo County from the consequences of Hidalgo County's own negligence, whether that negligence is the sole or contributory cause of the resultant injury death, or damage.

Applicant further agrees to defend, at its own expense, with attorneys acceptable to Hidalgo County and on behalf of the Hidalgo County, and in the name of Hidalgo County, any claim or litigation brought against the Hidalgo County in connection with any such injury, death or damage.

Before construction is begun on such pipeline or utility crossings, Applicant will furnish to the HCPD a certificate of insurance (or other security approved by the HCPD) payable to Hidalgo County and protecting Hidalgo County (as an additional named insured) against any claims for personal injuries or damages to property resulting from the operations of Applicant, its agents, servants, employees, and contractors under this permit. Insurance is to be supplied in accordance with the attached Schedule A.

8. Hidalgo County makes no warranties, expressed or implied, in the granting of this permit; nor does Hidalgo County purport to grant any property interest or exclusive privileges whatsoever by granting such permit. It is specifically understood that Hidalgo County is not the agent for, nor does it act for, the fee owners or any persons or entities having any right, or title to possession of the land upon which the Hidalgo County's easement or other property interest is located. Furthermore, in granting this permit Hidalgo County makes no representation or warranty that it has any property interest, including, but not limited to, an easement or right of way, in the land



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upon which Applicant constructs, maintains, repairs, or modifies the pipelines or utilities, made the subject of this application, nor does Hidalgo County make any representation or warranty as to the validity, quality or extent of such property interest, if any. Applicant acknowledges its understanding that Hidalgo County in granting this permit, does not convey or grant to Applicant any rights, title or interest for which is has no legal authority to grant or convey.

9. Applicant binds itself to comply with all federal, state, and local laws or regulations and will obtain all necessary permits from all local and federal agencies required by law before installation or construction is begun.
10. Applicant will install its pipelines and utilities in a manner and location as shown in the plans and specifications filed with HCPD in support of this application for permit. Hidalgo County Planning Department's representative may at any time make such inspection as such engineer or other representation may deem necessary to assure that the construction of the pipeline or utilities is in accordance with the plans and specifications submitted, and said engineer or representative shall have the right to temporarily suspend Applicant's work if necessary, while such inspection is being made. Should Applicant not install the pipelines or utilities in accordance with the terms and conditions of this permit, Applicant agrees that the Hidalgo County shall have the right to require, at Applicant's expense, the removal of the pipelines and utilities and its replacement in conformance to said plans and specifications and conditions of this permit. Hidalgo County may revoke this permit and suspend all work hereunder if it is determined by Hidalgo County that the pipelines or utilities are not being installed in accordance with such plans and specifications and conditions of this permit. The suspension or revocation of this permit shall not be a basis for a claim for damages against Hidalgo County.
11. Except in emergency situations where it is necessary to protect life and property, Applicant will not make any change, modification, or alteration in or to the pipelines or utilities without first securing a new or amended permit from Hidalgo County prior to the making of any such change. Applicant will maintain the pipelines or utilities hereby authorized in good and safe condition, and in accordance with plans, specifications, and this permit.



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12. Applicant agrees to pay HCPD a permit fee to cover administrative costs in the amount of **\$500.00**, plus a reimbursement to HCPD for any necessary engineering fees which may be incurred for the study and processing of the Application. This fee will permit a single pipeline or utility to be within County right-of-way. Applicant further agrees to pay an additional fee of **\$500.00** for each additional line included in permit application at the same location; however, more than one location may be included in a single application.

Requests to lay additional line or lines, not included in an initial permit application, must be made by separate application, with new permit fees paid accordingly and support data provided.

All permits fees must be submitted with the application for permit.

Permit fees submitted with this application for which pipeline or utility crossing are not approved by Hidalgo County Commissioners Court will be refunded to Applicant.

Permit fees may be waived where Applicant is a state, county, municipality, or a special political subdivision.

13. The Applicant is allowed one hundred twenty days (120) from the granting of the permit to start construction of the pipelines or utilities crossings. Once started, the Applicant is allowed ninety (90) days to complete all work under such permit. All construction must be completed within two hundred ten (210) days from the date of issuance of permit. Upon application, extension of the time periods set forth in this paragraph may be granted by the Hidalgo County Commissioners Court. Such applications for extension must be received by HCPD at least thirty days before the expiration of the two hundred ten (210) days period. A new permit fee, in accordance with Paragraph 12 hereof, will be charged for each extension granted.

Construction of any pipeline or utility crossing will not begin until written approval has been given by HCPD.

14. All provisions of the Pipeline and Utility Permit Administration Policy of Hidalgo County, if any, and all amendments thereto, are hereby incorporated herein as part of the terms and conditions of this permit for all purposes.



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15. Applicant warrants and represents that it has secured from all fee owners of the involved property an easement or other property rights to construct, repair or modify the pipeline or utility in the manner set forth herein.
16. This Pipeline and Utility Permit if granted by Hidalgo County is subject to any and all other requirements, specifications and conditions listed in Exhibit A attached hereto.
17. Hidalgo County requires all coordinates of all utility crossings. Horizontal datum to be in NAD 83 State Plane Texas South 4205 feet and vertical datum in NAVD 88 Geoid 12a.
18. This permit constitutes the entire agreement between the parties with regard to the subject matter hereof, and all prior agreements, representations, and negotiations between the parties regarding the subject matter are hereby superseded. This permit shall not be altered or amended except by an agreement in writing executed by the parties hereto.
19. Applicant warrants and represents that its undersigned representative has full authority to bind Applicant to the terms and conditions of the foregoing Application and Agreement for Pipeline or Utility Permit.



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DATED this 7th day of September, 2018.

Juan de Dios Hernandez
(Name of Applicant – Printed or Typed)

By [Signature]
Signature

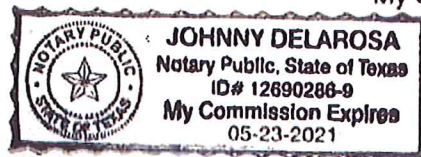
Title: IMP Engineer

STATE OF TEXAS
COUNTY OF HIDALGO

SUBSCRIBED AND SWORN TO before me the Applicant,
Juan de Dios Hernandez, on this 7th day of September, 2018,
to which witness my hand and seal of office.

[Signature]
Notary Public for the State of Texas

My Commission Expires: 05/23/2021





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**APPROVAL OF APPLICATION BY
HIDALGO COUNTY PLANNING DEPARTMENT**

Came on for consideration this _____ day of _____,
20____. The above and foregoing Application for Pipeline and Utility
Permit, and after consideration of the same by the Hidalgo County
Commissioners Court, said Application and Agreement for Pipeline or
Utility Permit is hereby APPROVED.

HIDALGO COUNTY:

Ramon Garcia, County Judge



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EXHIBIT A

(Please insert description of project location and supporting documents for proposed utility work)

Texas Gas Service (TGS) recently conducted an electrical survey on the gas line and found a coating defect. The contractor (Nexus Integrity Management) will expose Line 49/1 (4" diameter) to analyze and re-mediate the coating damage. The contractor will provide traffic control (flagman and cones) and will assist with traffic flow while conducting the exposure.



Dig Sheet 2018 - Line 49-1 - Anomaly 4 - Dig #18

RGV



APPLICATION FOR PERMIT TO OPERATE A PIPELINE IN TEXAS
Natural Gas Pipelines
(See 16 Texas Administrative Code §3.70)

Form T-4
Rev. 02/2016

Railroad Commission of Texas
Oversight and Safety Division
Pipeline Safety Department
Permitting/Mapping



Permit Number 00534

ORGANIZATIONAL INFORMATION

1. Operator Name: TEXAS GAS SERVICE COMPANY		P-5 No.: 845951
Operator Address: 1301 S MOPAC STE 400, AUSTIN TX 78746		
2. Does the operator identified in item 1 own the pipeline? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "No", give name and address of owner		
Owner Name:		
Owner Address:		
3. Does the operator control the economic operations of the pipeline? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "No", provide name, address, and P5# of economic operator		
Eco. Operator Name:		P-5 No.:
Eco. Operator Address:		

PIPELINE INFORMATION

1. Mark the appropriate box for each of the following questions:

a) New permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	New Construction Report Number: <u> NC </u>
b) Renewal for same operator?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
c) Extensions or modifications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
d) Change In Operator or Ownership?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

If "Yes", submit Form T-4B with this application

Total Permit Miles: 220.070
(after all changes)

2. Mark the appropriate box for each of the following questions:

a) Are the pipelines covered under this permit: Interstate Intrastate

b) Commodity transported: Natural Gas Full Gas Well Stream Gas - Other (specify): _____

c) Does the commodity contain H2S? Yes No If "Yes", at what concentration? _____ ppm

d) Requested Pipeline Classification (Gas Utility or Private Pipeline): GAS UTILITY

e) Does pipeline use any public highway or road, railroad, public utility easement, or other gas utility right-of-way? Yes No

f) Does the pipeline carry only the gas produced by the operators? Yes No If "No", select the activity below:

Purchased from others Owned by others but transported for a fee Both purchased from and transported for others
clear if ☺

3. Select the purpose being sought for the pipeline.

<input checked="" type="checkbox"/> Transmission	<input type="checkbox"/> Gas Lift
<input type="checkbox"/> Gathering	<input type="checkbox"/> Gas Plant
<input type="checkbox"/> Gas Injection	<input type="checkbox"/> Own Consumption

Basis for Requested Classification Select the basis supporting a requested classification of Private Pipeline. If requesting Gas Utility status select the Not Applicable block below.

This pipeline ONLY handles natural gas produced by the operator (and is not already a Gas Utility due to other operations).

The purpose of this pipeline is solely for the operator's own consumption.

This pipeline is Interstate (gathering).

While this pipeline handles natural gas other than the operator's own production, it meets the standards set forth in Texas Utility Code §121.005 (in-or-within the vicinity of the field where produced, and no condemnation ever used and no Town Border/City Gate deliveries). Attach a Non-Utility Certificate to support a Private Pipeline classification.

Other. Attach a Sworn Statement to support the basis for Private Pipeline status.

Not Applicable. Operator is requesting Gas Utility status.

**APPLICATION FOR PERMIT TO OPERATE A PIPELINE IN TEXAS (cont.)
Natural Gas Pipelines**

Maps of Pipeline Indicate below if maps are attached to this application or being submitted concurrently separately.

- An overview map (24" x 24" / 1" = 20 miles or less) Attached Submitted Separately
- Digital shape files for new, added, removed, or transferred pipelines. Attached Submitted Separately

Affirmation When requesting Gas Utility status, the following affirmation must be made.

- The applicant attests that they have read and understand the eminent domain provisions in Texas Property Code, Chapter 21, and the Texas Landowner's Bill of Rights as published by the Office of Attorney General of Texas.

Attached Documentation Indicate below all of the attachments for this application

- Form PS-48, *New Construction Report*
- Form T-4B, *Pipeline Transfer Certification*
- Non-Utility Certificate
- Overview Map
- Other(s). Brief description of purpose(s): _____

PIPELINE CONTACT INFORMATION

Related to the Construction, Operation and Maintenance of the pipeline

Name: DEAN LAFLAMME	Title: DIRECTOR, ENGINEERING AND COMPLIANCE
Address: 1301 S MOPAC STE 400, AUSTIN TX 78746	
Phone: (512) 370-8213	Email: dean.laflamme@onegas.com

Related to the Permit Application Packet

Name: AMY MARK	Title: REGULATORY COMPLIANCE SPEC.
Address: 1301 S MOPAC STE 400, AUSTIN, TX 78746	
Phone: (512) 370-8378	Email: amy.mark@onegas.com

Related to Mapping / GIS

Name: BRIAN RUSSELL	Title: GIS SPECIALIST
Address:	
Phone: (405) 551-8681	Email: brian.russell2@onegas.com

Each pipeline permit must contain at least one System, with at least one Segment. The following page(s) contain System and Segment information related to this permit application.

If this is an annual renewal with no changes to the required information so indicate below or continue with System and Segment data.
 Annual Renewal with no changes System and Segment information to follow

CERTIFICATE: I declare under penalties in Section 91.143, Texas Natural Resources Code, that I am authorized to file this application, that this application was prepared by me or under my supervision and direction, and that the data and facts stated therein are true, correct, and complete to be the best of my knowledge.

Signature Dean Laflamme Title Director Engineering Date 10/27/17

