

**APPLICATION FOR PERMIT
TO CONDUCT LIMITED GEOPHYSICAL OPERATIONS
IN WILSON COUNTY ROAD RIGHT-OF-WAY**

COMES NOW _____ (company name)
(hereafter "Company"), a _____ (state) _____, (type
– corporation, partnership, sole proprietorship, etc.) with the right to transact business in Texas,
acting by and through its duly authorized representative, and hereby petitions Wilson County
(hereafter "County") for the right to conduct limited geophysical operations over and along
certain County Roads and rights of way as shown on map(s) and lists(s) attached hereto in the
following manner: (insert description on method of Geophysical Testing operation,
example...Shot Hole or Vibroseis equipment):

Within an area of approximately _____ square miles located _____

We propose to begin our operations on or about _____ (mm/dd/yy)
and complete our operations by _____ (mm/dd/yy).¹

Company agrees that:

- 1) To induce the County to grant the requested permit, Company agrees, and stipulates as follows:
 - a. No blasting, impact or vibration method shall be performed within the limits of the County right-of-way.
 - b. No operations shall be conducted in an area that may result in damage to County bridges, gravel, paved roads, bar ditches, drainage easements, or other roadway facilities.
 - c. Cables placed on the pavement must be arranged so they do not create a hazardous condition or rumple strip effect. All cables must be securely anchored to the roadway with materials which will not damage and/or puncture the road surface. Nails, spikes and similar materials used for anchors must be placed

¹ The Company is allowed 30 days to operate on County Roads, for each 50 square miles, or part thereof, of the project.

beyond the pavement edge. Materials used to anchor cable to the pavement (tape, etc) shall be removed from the pavement after operations are completed. All anchors (nails, spikes and similar materials used for anchors) shall be removed after operations are completed.

- d. Adequate signs, barricades, flares, flagmen, etc., shall be maintained as necessary to protect the traveling public. Company shall comply with the Texas Manual of Uniform traffic Control Devices, on paved roads.
- e. Company must not interfere with the free and safe flow of traffic, when operations are immediately adjacent to the right-of-way, all equipment should be parked and/or operating on one side of the roadway only.
- f. Operations' will be postponed when the ground conditions are such that operations within the right-of-way would, in the opinion of the County Commissioner, cause extensive rutting and/or tracking of mud onto the roadway surface.
- g. Company shall restore the right-of-way to its original condition, free of any damage, including ruts or any injury to vegetation. Any costs incurred by the County for replacement signs, delineators, etc., for the removal of debris, or for any other necessary restoration work performed by the County to place the County right-of-way into a condition equal to that prior to survey operations will be billed to the company at cost.
- h. County does not grant any right to conduct geophysical surveys on the County Road right-of-way. The Geophysical Survey Permit merely allows mineral estate owners to conduct geophysical surveys of their mineral estates, in a manner that does not interfere with the County Road right-of-way, which is part of the surface estate. It is the Company's responsibility to secure permission from the mineral estate owner to actually conduct geophysical surveys. If the Company believes that the County is the mineral estate owner of the land beneath any particular County Road right-of-way, separate authority to conduct a geophysical survey of that land must be obtained from Commissioners Court as the owner of the mineral estate.

- i. Company agrees to indemnify and hold County harmless from any personal injury, property damage or mineral estate related claims against County, its officers, agents or employees, that result from Company's operations under this permit, EVEN IF SUCH CLAIMS RESULT IN WHOLE OR PART FROM THE NEGLIGENCE OF COUNTY, ITS OFFICERS, AGENTS OR EMPLOYEES.
 - j. Company agrees to release the County, and any emergency services personnel operating on behalf of the County, from any and all claims for damages done to Company's property, during emergency operations.
 - k. "Company" includes the Company, and all officers, agents, employees, and sub-contractors.
- 2) Company will submit with this application a current Certificate of Insurance in the amount of not less than \$1,000,000 and a certificate of Workers compensation insurance.
- 3) The permit, if granted, will give Company permission to conduct allowed operations within County rights of way only, and does not authorize Company to conduct any operations on other property.
- 4) On the attached maps (two copies for each County Commissioner's Precinct in which Applicant seeks a permit), Company has:
 - a. Outlined the general area of proposed operations
 - b. Highlighted in different colors the county roads to be crossed by cables only
 - c. Labeled each County Road with its road number, or name. County Road maps are available at the county Clerk's office, with roads already labeled. In addition to paper map(s), electronic maps of the County road Map, or other maps, such as Google Earth, may be submitted on CD ROM.
- 5) On the attached list(s), Company has listed in alpha-numerical order each County Road where company plans to lay cables.
- 6) Permit application, supporting documentation and fee, \$10 per square mile of the project, with a minimum fee of \$250, is to be submitted to the Wilson County Emergency Management Office located at Courthouse Annex II, 800 10th St., Bldg. B, Floresville, Texas 78114. Incomplete applications will not be accepted.

CONTACT PERSON FOR PERMIT APPLIATION

Questions regarding the Geophysical Survey Permit Application should be addressed to:

Print or type name

Office Telephone

Title

Office Fax

Cell Phone

Address

City, State, Zip

Email Address

PRIMARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES

During the period of operation under the permit, Wilson County may contact this agent of Company at anytime:

Print or type name

Office Telephone

Title

Office Fax

Cell Phone

Address

City, State, Zip

Email Address

SECONDARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES

During the period of operation under the permit, Wilson County may contact this agent of Company at anytime the primary contact cannot be reached:

Print or type name

Office Telephone

Title

Office Fax

Address

Cell Phone

Address

City, State, Zip

Email Address

SUBMITTED this the _____ day of _____, 20_____

SWORN TO, AND SUBSCRIBED,

Company Name

Signature of Agent

Print or type name

Office Telephone

Title

Office Fax

Address

Cell Phone

City, State, Zip

Email Address

THE STATE OF TEXAS }
COUNTY OF _____ }

BEFORE ME, the undersigned authority on this day personally appeared _____
_____(Name), _____(Title) known to me
to be the person and officer who is subscribed to the foregoing instrument and acknowledge to
me that the same was the act of _____(Company) of _____
_____(City and State) for the purposes and consideration
therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 20__.

Notary Public Signature

Print or type name

COMMISSIONERS REVIEW

I have reviewed the foregoing Application, and I:

- Recommend for approval.
- Do not recommend for approval.

County Commissioner, Pct. _____

GEOPHYSICAL PERMIT APPROVAL/DISAPPROVAL

On _____, 20____, the above application for Permit to Conduct Limited Geophysical Operations was considered by the Commissioners Court. The Court:

- Does not approve it. Applicant may not conduct the operations described in the permit application, or any other unpermitted geophysical operations, on County Road right of ways.
- Approves it. Applicant may conduct the operations described in the permit application, subject to the rules and conditions in the permit application.

Richard L. Jackson, County Judge

Attest:

Eva S. Martinez, County Clerk