

From: +1 979-824-5520

To: Jim Burke

[4/15/23, 11:46 AM] Beaver Aplin : Time for call

About Colorado City State Park ?

[4/15/23, 5:09 PM] Jim Burke : Hey Beaver. I can give you tomorrow afternoon possibly around 2pm? Does that work?

[4/15/23, 6:13 PM] Beaver Aplin : Perfect

[4/16/23, 2:03 PM] Jim Burke : Beaver, give me a ring when free. Heading to the airport.

[4/27/23, 8:48 AM] Beaver Aplin : Jim

Would like to visit about Colorado City at your convenience

[4/27/23, 10:40 AM] Jim Burke : Sounds good. Meeting today in Austin on electric matters.

[4/27/23, 10:42 AM] Beaver Aplin : I can talk around ur schedule

[4/28/23, 1:11 PM] Beaver Aplin : Hey Jim

Checking in if you have time

Colorado City

[4/28/23, 3:37 PM] Jim Burke : Beaver, I am traveling and have been. Flights delays yesterday and today so I am trying to keep up. Here is some info that may be helpful. Would TP&W be interested in providing a proposal for the approximately 621 acre Lake Colorado State Park? While lake access is provided, neither Lake Colorado City nor the accompanying water rights are available since there is an operating power plant that utilizes these resources. The property description is provided in the two lease agreements with TPWD. If you or members of your team would like to discuss further, please contact Matt Goering at matthew.goering@luminant.com. I will try to also give you a ring but wanted to share some info as well. Jim

[5/11/23, 12:22 PM] Beaver Aplin : Jim

Time for a call ?

Colorado Park

[5/12/23, 3:19 PM] Jim Burke : Beaver, been traveling to the power plants. Sorry for my late reply. Wanted to check in with my team. It is my understanding that the TPWD team would like to initiate discussion regarding Lake Colorado City and the other leases in June. Please let me know if this is not the case. Jim

[5/12/23, 4:10 PM] Beaver Aplin : Jim

I'm trying to send you email about an offer I sent to Todd

Did u receive ?

[5/18/23, 3:30 PM] Jim Burke : Beaver, I am free now if you would like to give me a ring

[5/19/23, 9:01 PM] Jim Burke : Too late for me to call?

[5/19/23, 9:07 PM] Beaver Aplin : No ok

[5/20/23, 9:28 AM] Beaver Aplin : I'm headed to airport

Do you have few min for a call

[5/20/23, 2:33 PM] Jim Burke : Beaver, I was out of pocket this morning. I can speak later this aft/eve if ok.

[5/20/23, 2:54 PM] Beaver Aplin : Sounds good

[5/20/23, 6:41 PM] Beaver Aplin : Just let me know good time

[5/20/23, 6:44 PM] Jim Burke : Wrapping up a call on this and will call in a few mins.

[5/20/23, 6:45 PM] Beaver Aplin : Ok no rush

[5/23/23, 4:22 PM] Beaver Aplin : Talk when u can

[5/23/23, 6:37 PM] Beaver Aplin : We can talk when u get to Dallas if that works

[5/23/23, 6:48 PM] Jim Burke : About to take off

[5/23/23, 6:48 PM] Beaver Aplin : Ok

[5/24/23, 6:46 AM] Beaver Aplin : I'm going to call you on way to airport in 25 min

If your free

Then I need to call Todd myself so he hears it from me

Like to talk to you first

[5/24/23, 7:01 AM] Jim Burke : Beaver, I am not free in 25 mins but can be when you land. I think the gap is likely still \$5M. \$130M total - Shawn would get 27. We would get \$103 (98 for Fairfield and 5 for CC). Haven't spoken to Shawn yet, but just trying to find a workable deal.

[5/24/23, 7:06 AM] Beaver Aplin : I'm going to tell Shawn my times out , my authorized max is 25.

I thought about the treatment your company is getting , can't imagine that a deal between parks and you would not be huge to the legislators .

The timing is perfect , at least that's my perspective

[5/24/23, 7:13 AM] Jim Burke : You had 103 contract price plus up to 25 (20+5) before for a total of 128 for just Fairfield. For 130 you would get Colorado city. Then Shawn and I would need to see if you can workout his fee between 25 and 30M. Either way we would be taking less it is just how much less.

[5/24/23, 7:16 AM] Beaver Aplin : True

But my budget rider was for 100 not 103

I told Lt Gov I assumed if granted that we could get to 100 with you .

Seems like we're getting g closer to me

[5/24/23, 7:37 AM] Jim Burke : I think so. Few days ago it seems the totals were 103 + 40 for 143 total and your letter suggested 103 plus 20 plus expenses for a max of 128 (maybe you feel that was capped at 125). All of this excluded Colorado City. What I am trying to think through is can for 130 total, can we get all this done, including Colorado City. I haven't asked Shawn where is number can be. I think relative contributions to making this work matters.

[5/24/23, 8:21 AM] Jim Burke : Will call you in 5

[5/24/23, 8:22 AM] Beaver Aplin : Ok

[5/24/23, 12:16 PM] Beaver Aplin : I'm going into session to discuss Fairfield if you have info

[5/24/23, 12:21 PM] Jim Burke : All I know from Matt is Shawn isn't revising his proposal

[5/24/23, 12:22 PM] Jim Burke : Said he was anticipating a formal response. That's all I know. I am on a panel at an event at Irving conf center.

[5/24/23, 6:16 PM] Jim Burke : Beaver, will call when I free up. In a mtg tracking the legislative sunset topics.

[5/24/23, 8:34 PM] Jim Burke : Call if you would like. No rush. No progress to report.

[5/24/23, 9:11 PM] Beaver Aplin : I'll call after this dinner

[5/25/23, 8:06 AM] Jim Burke : Speaking to him at 8:30.

[5/25/23, 9:41 AM] Jim Burke : Can you call me?

[5/25/23, 9:44 AM] Jim Burke : I can text if better.

[5/25/23, 10:04 AM] Jim Burke : Beaver - spoke to Shawn. This is where things stand. Shawn is firm on \$30M and wants to be paid prior to his closing on the park (likely Tuesday). He would want to be released from the contract and out of the picture. I am seeking board approval now to

sell Fairfield for \$95M to the state vs the \$103M we expect to receive on Tuesday. We would need a binding letter Beaver to memorialize the \$95M by Tuesday when/if Shawn is paid by the state. We are trying hard to make this work Beaver and I expect to get Board feedback in next 30 mins. I am out of pocket 10:15 to 10:45 with a mtg that I have moved several times. May be able to text during that mtg.

[5/25/23, 10:58 AM] Jim Burke : Just tried you.