



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

July 31, 2026

Dear Barnard Construction:

The Texas General Land Office (the “GLO”) has received information that indicates that Barnard Construction (“Barnard”), a contractor hired by U.S. Customs and Border Protection (“CBP”), trespassed across and substantially altered the topography of GLO-managed state lands in Presidio County, Texas without the GLO’s permission.

Specifically, Barnard illegally entered Sections 70, 71, 78 and 80 (shown on the attached map) and used heavy construction equipment to blade the terrain and remove all vegetation in its path. The extensive damage done to these state lands is shown in the attached pictures.

The GLO-managed land in question is part of larger hunting and grazing lease (GLO Surface Lease No. SL20210037) held by Trans Pecos Ice LLC (“Trans Pecos”). We are still investigating the extent of the communications between Trans Pecos and Barnard. Regardless, the lease does not allow for any land modifications, excavation, or construction on the property without the GLO’s express written consent, which has not been given to Trans Pecos, Barnard, or CBP.

Accordingly, Barnard is hereby notified to cease and desist all excavation and construction operations on these GLO lands immediately. Please acknowledge receipt of this cease-and-desist notice and affirm in writing that Barnard will refrain from trespassing upon and/or performing any further excavation and construction activities, within two (2) business days of the date of this notice. Finally, the GLO lands damaged by Barnard’s activities must be remediated and returned to their original condition. GLO requests that Barnard work with CBP and Trans Pecos to develop a proposed reclamation plan to present to GLO for approval.

Please be advised that the GLO reserves its right to pursue all available legal remedies to address the damages caused by Barnard’s activities.

Sincerely,

DAWN BUCKINGHAM, M.D.
Commissioner, Texas General Land Office

Enclosures



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

July 31, 2026

Dear Mr. Enriquez:

The Texas General Land Office (the “GLO”) has received information that indicates that a contractor hired by U.S. Customs and Border Protection (“CBP”) named Barnard Construction (“Barnard”) has trespassed across and substantially altered the topography of GLO-managed state lands in Presidio County, Texas without the GLO’s permission.

Specifically, Barnard illegally entered Sections 70, 71, 78 and 80 (shown on the attached map) and used heavy construction equipment to blade the terrain and remove all vegetation in its path. The extensive damage done to these state lands is shown in the attached pictures.

The GLO-managed land in question is part of larger hunting and grazing lease (GLO Surface Lease No. SL20210037) held by Trans Pecos Ice LLC (“Trans Pecos”). We are still investigating the extent of the communications between Trans Pecos and Barnard. Regardless, the lease does not allow for any land modifications, excavation, or construction on the property without the GLO’s express written consent, which has not been given to Trans Pecos, Barnard, or CBP.

Accordingly, CBP is hereby notified to cease and desist, and cause its contractor Barnard to cease and desist, all excavation and construction operations on these GLO lands immediately. Please acknowledge receipt of this cease-and-desist notice and affirm in writing that CBP and Barnard will refrain from trespassing upon and/or performing any further excavation and construction activities, within two (2) business days of the date of this notice. Finally, the GLO lands damaged by Barnard’s activities must be remediated and returned to their original condition. GLO requests that CBP work with Barnard and Trans Pecos to develop a proposed reclamation plan to present to GLO for approval.

Please be advised that the GLO reserves its right to pursue all available legal remedies to address the damages caused by Barnard’s activities.

Sincerely,

DAWN BUCKINGHAM, M.D.
Commissioner, Texas General Land Office

Enclosures



TEXAS GENERAL LAND OFFICE
COMMISSIONER DAWN BUCKINGHAM, M.D.

July 31, 2026

Re: **GLO Surface Lease No. SL20210037 between the Texas General Land Office and Trans Pecos Ice LLC**

To the Authorized Representative of Trans Pecos Ice LLC ("Trans Pecos"):

Pursuant to Article IV of GLO Surface Lease No. SL20210037 (the "Lease"), this letter shall serve as the Texas General Land Office's ("GLO") written notice to Trans Pecos that Trans Pecos is in breach of the Lease for allowing Barnard Construction ("Barnard") to trespass upon and conduct excavation and/or construction operations on GLO lands covered by the Lease without the express written permission of the GLO. Following the expiration of thirty (30) days from the date of this written notice, GLO may, at its option and its sole discretion, elect to terminate Trans Pecos's rights under this Lease. Such termination shall not prejudice GLO's rights to collect any money due or to seek recovery on any claims arising hereunder, and GLO reserves its right to pursue all available legal remedies to address the damages caused by the activities described herein.

As you know, Trans Pecos currently leases approximately 10,107.63 acres of surface lands in Presidio, Jeff Davis, and Hudspeth Counties from the GLO. The Lease provides that these GLO lands may only be used by Trans Pecos for hunting, recreation, and grazing. Further, these GLO lands are to remain in their current topographical condition during the term of the Lease, and Trans Pecos is prohibited from modifying these GLO lands and from using or allowing others to use these lands for any other purposes. The Lease also does not allow for any modifications, excavations, or construction activities on the Lease property without GLO's express written consent.

GLO has received information that indicates Barnard Construction ("Barnard"), a contractor hired by U.S. Customs and Border Protection ("CBP"), trespassed across and substantially altered the topography of GLO lands in Presidio County, Texas included in the Lease without GLO's permission. Specifically, Barnard illegally entered Sections 70, 71, 78 and 80 (shown on the attached map) and used heavy construction equipment to blade the terrain and remove all vegetation in its path. The extensive damage done to these state lands is shown in the attached pictures.

GLO is investigating the extent of the communications between Trans Pecos and Barnard though we understand Trans Pecos may have given Barnard permission to cross these GLO lands to access other lands privately owned by Trans Pecos along the Texas/Mexico border. Regardless, GLO has not given express written consent to Trans Pecos, Barnard, or CBP to trespass across and conduct excavation and construction activities on any GLO lands covered by the Lease.

Accordingly, Trans Pecos is hereby instructed to undertake immediate steps to prevent any further trespass, excavation and/or construction operations by Barnard and CBP on these GLO lands. Please acknowledge receipt of this cease-and-desist notice and affirm in writing that Trans Pecos will take immediate steps to prevent Barnard from any further trespassing upon and/or performing any further excavation and/or construction activities on GLO lands covered by the Lease, within two (2) business days of the date of this notice. GLO also demands that the state-owned lands damaged by Barnard's activities be remediated and returned to their original condition. GLO hereby instructs Trans Pecos to work with Barnard and CBP to develop a proposed reclamation plan to present to GLO for approval.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Buckingham", is written over a light gray rectangular background.

DAWN BUCKINGHAM, M.D.

Commissioner, Texas General Land Office

Enclosures

