

Ely Family Partnership, LP
Brad Ely
P.O. Box 177
Hearne, Texas 77859

June 13, 2024

Kean Register
City Manager, City of Bryan
P.O. Box 1000
Bryan, TX 77805

By Email
kregister@bryantx.gov

Re: Pending Transport Permit Applications for Ely Family Partnership, LP and Others

Dear Mr. Register,

I am writing on behalf of Ely Family Partnership, LP in support of our pending Transport Application scheduled to be considered by the Brazos Valley Groundwater Conservation District. Our Family has long called Robertson County home. We own over 1900 acres here in Robertson County, which we have farmed and been good stewards of those many years.

To further develop our property and enhance our land, we have worked diligently with an experienced consulting firm and legal counsel to secure groundwater production permits from the Brazos Valley Groundwater Conservation District. We were successful in obtaining these permits in the fall of 2023.

Although we obtained our permits just before the District substantially changed its production permit Rules, we worked with Mr. Day, the District's General Manager, to incorporate the District's new Rule requirements into our permits voluntarily forward. We understand that the City also secured permits shortly before the Rule changes were adopted augmenting its already substantial production authorizations.

We also understand that the City has a prominent role on the District's board, with its Public Works Director sitting as Board President. Considering this overlap, it seems clear that the City of Bryan was well aware of my family's efforts to realize the potential of our respective private property interests by now seeking the requisite transport permits to eligible to include our groundwater in a regional water supply project being developed by UWBVF.

I am confident that the City is also well informed about the scrutiny the large group of production permits approved by the District last Fall underwent by both the District Staff and the Board to assess the potential impact to the Aquifer and neighboring landowner wells. The law required the District undertake that assessment before granting my Family's, the City's and the other

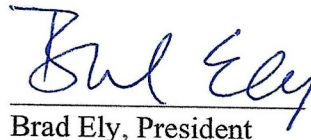
landowners Groundwater Production Permits. Following three consecutive District meetings where the Staff recommended and the Board granted production permits cumulatively authorizing well over a 100,000 acre feet of groundwater production from the Simsboro Aquifer, the District adopted new Rules imposing stricter criteria for both production and transport permits. Again, my family voluntarily incorporated the stricter criteria in our applications for production permits, and our Transport Permit Applications were developed in compliance with the new Transport Permit Rules. Accordingly, granting the transport authorization to our production permits will not cause any unreasonable impact to the Aquifer or our neighbors wells – the Board made that determination last fall when it granted our permits, the City’s permits and those of multiple other landowners seeking to exercise their constitutionally protected property rights in the groundwater underlying their property.

As a local landowner on behalf of our Family Partnership, I am reaching out to the City to ensure you have a clear picture of my family’s perspective and our hope for a smooth path for the District to grant our transport permits next Tuesday. Given the City’s longstanding awareness of the efforts and investments made by my Family to be fully cooperative and compliant with the District’s recommendations and requirements to secure our Production Permits and apply for our Transport Permit to be eligible to participate in a regional water project, we hope and anticipate that the City will refrain from bringing any objection to our (and the other) pending transport permit applications.

Thank you for your time and favorable consideration.

Sincerely,

Ely Family Partnership LP

A handwritten signature in blue ink that reads "Brad Ely". The signature is written in a cursive style with a horizontal line underneath the name.

Brad Ely, President

cc: Brazos Valley Groundwater Conservation District
Attn: Alan Day, General Manager (aday@brazosvalleygcd.org)
David Lynch, UWBVF