

John Charles and Mildred Fazzino
1004 Anderson Street
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: Fazzino Investments LP's and Others' Pending BVGCD Transport Permit Applications

Dear Mr. Register,

Next Tuesday, June 18th, the Brazos Valley Groundwater Conservation District is considering Transport Applications filed by a number of Groundwater Production Permittees, including our Family's own Fazzino Investments LP. I understand that the City of Bryan is considering protesting those Applications. We respectfully write to request Bryan not protest those Applications.

Our Family has owned and farmed land in Brazos and Robertson Counties for more than ___ years. We have private property rights in the groundwater under our land. We have worked long and hard, and made sound, long-term judgments to protect our resources.

Like the City of Bryan, our Family secured groundwater production permits from the Brazos Valley Groundwater Conservation District in the fall of 2023. Our permits were issued in accordance with the District's Rules and even incorporated conservative initiatives recommended by the District's General Manager that at the time had only been proposed to be incorporated in the District's permitting Rules, but were not then final and adopted.

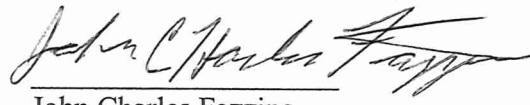
In reliance on the issued operating permits, we coordinated with the District's Management to prepare and file a complete and compliant Transport Permit Application. Our Application reflects our commitment to observe and implement the District's Rules related to potential impacts on the aquifer locally, which include the obligation to pay applicable fees associated with transporting groundwater outside of the District. As I am sure you are aware, the law says we must be treated fairly and impartially, and cannot be discriminated against by the District because we seek transport authorizations for our groundwater. Under Texas Law the District must protect our substantial investment-backed expectations to produce *and transport* groundwater from our property. Again, the law mandates that the District not discriminate against transport projects.

We are firmly committed to working through the steps needed to secure our transport permit. In light of the meaningful evaluation of potential impacts to the aquifer, and the highly conservative conditions we agreed to as part of the determination to secure our groundwater production permits, we hope to avoid wasteful, unnecessary steps that would burden the District, the applicants, and any protesting party, in the transport permitting process, especially where there has already been a determination to authorize the production.

As we did not hear from the City of Bryan about our production permits, and our pending application is limited to the narrow authorization for transport of those already granted production volumes, we hope that the City will respect our private property interests in our groundwater and allow us to complete our compliant and substantial permitting efforts at the District. To this end, I close with the request that the City of Bryan refrain from bringing unnecessary objections to our, or any of the other, pending transport permit applications.

Sincerely,

Fazzino Investments LP

A handwritten signature in black ink, appearing to read "John Charles Fazzino". The signature is written in a cursive style and is positioned above a horizontal line.

John Charles Fazzino

cc: Brazos Valley Groundwater Conservation District
Attn: Alan Day, General Manager via e-mail aday@brazosvalleygcd.org
David Lynch, UWBVF