

Trey and Jennifer Skiles
C/O Robertson County Veterinary Services
3206 State Hwy 6 South
Hearne, Texas 77859

September 6, 2024

By Email

Alan Day
112 West 3rd Street
Hearne, Texas 77859

Re: Protesting Proposed Drilling/Operating Permit BVDO-0421 for The Texas
A&M University System (“A&M”)

Mr. Day:

I am writing to formally contest A&M’s application for Drilling/Operating Permit BVDO-0421 (the “Application”), which is set for hearing on September 12, 2024. I am a longtime property owner and farmer in the Brazos Valley, and I hold groundwater interests that allow me to irrigate and develop my property. My groundwater interests include Simsboro well BVDO-0108 (which has produced Simsboro groundwater since the District first authorized the well in 2011), my drilling/operating permit for BVDO-0317 (which the District issued in March 2023), and my pending transport permit application for BVTP-0003 (which will authorize transport of produced Simsboro water to meet shortages in a four-county receiving area).

I request a contested case hearing on A&M’s Application because it adversely affects my legal rights, privileges, power, and economic interests, including my ability to produce, use, and transport groundwater from the Simsboro. My groundwater rights constitute a personal justiciable interest that is separate from interests common to members of the public. A&M’s Application, if granted, will affect my interests by lowering the groundwater table at a greater rate that would occur absent the grant of the Application, thereby impacting my wells. Additionally, a more thorough assessment of the Application is needed relative to the District’s positions on Desired Future Conditions.

Moreover, granting A&M’s Application would adversely affect my legal rights, privileges, power, and economic interests in my permits, and, in particular, the right to receive “fair, impartial, and nondiscriminatory” treatment by the District.¹ I also have the legal right to “rules that are fair and impartial.”² This right would be affected by the District’s granting of A&M’s Application before the District has resolved its governance concerns for prior permitting actions regarding numerous landowners, including myself and my family.

¹ See Tex. Water Code § 36.122(q).

² See Tex. Water Code § 36.101(2).

For all the above reasons, I formally request that the District conduct a contested case hearing on A&M's Application and name me as a protesting party.

Sincerely,

A handwritten signature in black ink, appearing to read "CA Skiles III". The signature is written in a cursive, somewhat stylized font.

Clifford A. Skiles III

cc: Paulina Williams, Baker Botts
Monique Norman, BVGCD Counsel