

Laura W. Moore
2208 Churchhill Loop
Grapevine, Texas 76051

September 6, 2024

By Email

Alan Day
112 West 3rd Street
Hearne, Texas 77859

Re: Contested Case Hearing Request for the Texas A&M University System's ("A&M's")
Proposed Drilling/Operating Permit BVDO-0421

Dear Mr. Day:

On behalf of L. Wiese Moore, LLC, I formally request a contested case hearing on A&M's application for Drilling/Operating Permit BVDO-0421 (the "Application"). I hold the groundwater rights under my land in Robertson County, including the right to drill and produce Simsboro groundwater authorized under BVDO-0401 and BVDO-0402. I formally request a contested case hearing on the Application because A&M's proposed new production from the Simsboro affects my groundwater interests and ability to use and enjoy my private property. Specifically, the Application affects my legal rights, privileges, power, and economic interests in the operating permits I have obtained from the Brazos Valley Groundwater Conservation District ("District"), as well as my pending application for transport permit BVTP-005.

First, the Application affects my personal justiciable interest in producing Simsboro groundwater from authorized wells on my property. If approved, the Application will impact this interest by causing additional drawdown of the Simsboro. A&M's new production would cause groundwater levels at my wells to decline more rapidly than they would without the Application's approval. Additionally, a more thorough assessment of the Application is needed relative to the District's positions on Desired Future Conditions.

Second, granting A&M's Application would negatively affect my legal rights, privileges, power, and economic interests in my permits, particularly my 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.

As noted above, the Application affects and prejudices my personal justiciable interests related to my legal rights, privileges, power, and economic interests that are within the District's regulatory authority and are not common to members of the public. I hereby request that the

¹ See Tex. Water Code § 36.122(q).

² See Tex. Water Code § 36.101(2).

District conduct a contested case hearing on A&M's Application and that L. Wiese Moore, LLC be named a protesting party.

Sincerely,

A handwritten signature in cursive script that reads "Laura W. Moore". The signature is written in black ink and is positioned above a thin horizontal line.

Laura W. Moore

Signatory for L. Wiese Moore, LLC

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