

# **BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**



**Special Called Board Meeting**

**District Office**

**Hearne, Texas**

**June 17, 2025**

**9:00 a.m.**



## Agenda

**BRAZOS VALLEY GROUNDWATER  
CONSERVATION DISTRICT  
Special Called Board Meeting  
District Office  
112 W. 3<sup>rd</sup> Street – Hearne, Texas  
Tuesday, June 17, 2025 – 9:00 a.m.**

**Notice is given that the Board of Directors of the Brazos Valley Groundwater Conservation District will hold a Special Called Board Meeting on Tuesday, June 17, 2025 @ 9:00 a.m. in the District Office.**

**In accordance with the Texas Open Meetings Act, a quorum of the Board will meet in person and less than a quorum may participate by videoconference. The public may also join this meeting or hearing in person or as follows:**

**Join Teams Meeting:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MjBmMzE1ZmUtNTIyOC00YzIxLTlmYzktOWE4N2NjZDM0NGQ2%40thread.v2/0?content=%7b%22Tid%22%3a%220b104f6f-f0ed-4b13-ba02-a736b1742aa1%22%2c%22Oid%22%3a%22fec384b7-c837-48bd-8dca-3a84748e2b51%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MjBmMzE1ZmUtNTIyOC00YzIxLTlmYzktOWE4N2NjZDM0NGQ2%40thread.v2/0?content=%7b%22Tid%22%3a%220b104f6f-f0ed-4b13-ba02-a736b1742aa1%22%2c%22Oid%22%3a%22fec384b7-c837-48bd-8dca-3a84748e2b51%22%7d)

**[Join the meeting now](#)**

Meeting ID: 254 561 232 689 8

Passcode: sS3ha7sF

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

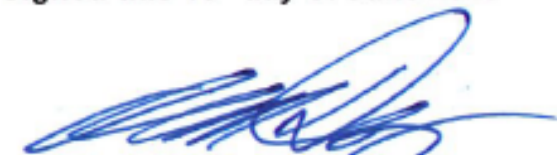
b) Agenda items

1. Executive Session:

- Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
  - pending transport permit applications for groundwater from the Simsboro Aquifer: (BVTP-002) for RH2O LLC; (BVTP-003) for Clifford A. Skiles III; (BVTP-004) for James C. Brien; (BVTP-005) for L. Wiese Moore LLC; (BVTP-006) for Fazzino Investments LP; (BVTP-007) for Ely Family Partnership LP; and (BVTP-008) for Cula d’Brazos LLC, all of whom are co-applicants with UW Brazos Valley Farm LLC; ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1;
  - pending contested permit applications for groundwater from the Simsboro Aquifer: (BVDO-0108, BVDO-0317) for Clifford A. Skiles III; (BVDO-0315, BVDO-0316) for James C. Brien; (BVDO-0377, BVDO-0378, BVDO-0379, BVDO-0380, BVDO-0381, BVDO-0382, BVDO-0383, BVDO-0384) for Ely Family Partnership LP; (BVDO-0385, BVDO-0386, BVDO-0387, BVDO-0388., BVDO-0389) for RH2O LLC; (BVDO-0394, BVDO-0395, BVDO-0396, BVDO-0397, BVDO-0398, BVDO-0399) for Fazzino Investments LP; (BVDO-0401, BVDO-0402) for L. Wiese Moore LLC; (BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414) for Cula d’Brazos LLC: and BVTP-001 for UW Brazos Valley Farm LLC;

- pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related court filings;
  - District Rule 8.3 regarding the permitting of wells;
  - water production, export, and administrative fees; and
2. Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 1, including but not limited a Settlement and Release Agreement.
  3. Discussion and possible future agenda items.
  4. Adjourn

Signed this 13<sup>th</sup> day of June 2025



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Alan M. Day, General Manager

The Board of Directors may meet in closed session, pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071-551.076, to:

- (1) consult with attorney ;
- (2) deliberate regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (3) deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (4) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee;
- (5) to receive information from employees or question employees, but not deliberate public business or agency policy that affects public business; and
- (6) to deliberate the deployment or specific occasions for implementation of security personnel or devices.

The Board may also meet in open session on these matters as required by the Texas Open Meetings Act, Texas Government Code § 551.102.

**\*\* Agenda items may be taken out of order at the discretion of the Board Chairman**

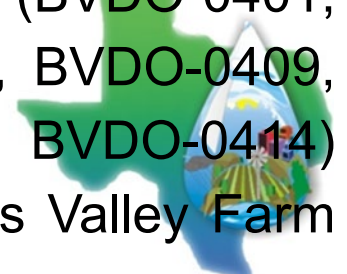
# Agenda Item # 1

- Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
  - pending transport permit applications for groundwater from the Simsboro Aquifer: (BVTP-002) for RH2O LLC; (BVTP-003) for Clifford A. Skiles III; (BVTP-004) for James C. Brien; (BVTP-005) for L. Wiese Moore LLC; (BVTP-006) for Fazzino Investments LP; (BVTP-007) for Ely Family Partnership LP; and (BVTP-008) for Cula d'Brazos LLC, all of whom are co-applicants with UW Brazos Valley Farm LLC; ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1;



# Agenda Item # 1

- Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
  - pending contested permit applications for groundwater from the Simsboro Aquifer: (BVDO-0108, BVDO-0317) for Clifford A. Skiles III; (BVDO-0315, BVDO-0316) for James C. Brien; (BVDO-0377, BVDO-0378, BVDO-0379, BVDO-0380, BVDO-0381, BVDO-0382, BVDO-0383, BVDO-0384) for Ely Family Partnership LP; (BVDO-0385, BVDO-0386, BVDO-0387, BVDO-0388., BVDO-0389) for RH2O LLC; (BVDO-0394, BVDO-0395, BVDO-0396, BVDO-0397, BVDO-0398, BVDO-0399) for Fazzino Investments LP; (BVDO-0401, BVDO-0402) for L. Wiese Moore LLC; (BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414) for Cula d’Brazos LLC: and BVTP-001 for UW Brazos Valley Farm LLC;



# Agenda Item # 1

- Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
  - pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related court filings;
  - pending lawsuit Fazzino Investments, LP v. Brazos Valley Groundwater Conservation District, CASE NO. 6:25-cv-00001, filed in the United States District Court for the Western District of Texas, Waco Division;
  - water production, export, and administrative fees; and
  - groundwater conservation district related issues in the 89th Texas Legislature.



## **Agenda Item # 2**

Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 1, including but not limited to a Settlement and Release Agreement.



## **Item 2 – Items Posted for Executive Session Discussion**

Items posted for discussion during Executive Session are:

- Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
  - pending transport permit applications for groundwater from the Simsboro Aquifer: (BVTP-002) for RH2O LLC; (BVTP-003) for Clifford A. Skiles III; (BVTP-004) for James C. Brien; (BVTP-005) for L. Wiese Moore LLC; (BVTP-006) for Fazzino Investments LP; (BVTP-007) for Ely Family Partnership LP; and (BVTP-008) for Cula d'Brazos LLC, all of whom are co-applicants with UW Brazos Valley Farm LLC; ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1;

- pending contested permit applications for groundwater from the Simsboro Aquifer: (BVDO-0108, BVDO-0317) for Clifford A. Skiles III; (BVDO-0315, BVDO-0316) for James C. Brien; (BVDO-0377, BVDO-0378, BVDO-0379, BVDO-0380, BVDO-0381, BVDO-0382, BVDO-0383, BVDO-0384) for Ely Family Partnership LP; (BVDO-0385, BVDO-0386, BVDO-0387, BVDO-0388., BVDO-0389) for RH2O LLC; (BVDO-0394, BVDO-0395, BVDO-0396, BVDO-0397, BVDO-0398, BVDO-0399) for Fazzino Investments LP; (BVDO-0401, BVDO-0402) for L. Wiese Moore LLC; (BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414) for Cula d'Brazos LLC: and BVTP-001 for UW Brazos Valley Farm LLC;

- pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related court filings;
- pending lawsuit Fazzino Investments, LP v. Brazos Valley Groundwater Conservation District, CASE NO. 6:25-cv-00001, filed in the United States District Court for the Western District of Texas, Waco Division;
- establishing Desired Future Conditions for all aquifers within the boundaries of the BVGCD
- water production, export, and administrative fees; and
- groundwater conservation district related issues in the 89<sup>th</sup> Texas Legislature.

# **Agenda Item # 3**

Discussion and possible future agenda items



# Agenda Item # 4

Adjourn

