

UW Brazos Valley Farm LLC

September 2, 2025

By Email

GMA 12 Members
c/o Gary Westbrook
Post Oak Savannah Groundwater Conservation District
PO Box 92
Milano, Texas 786556
gwestbrook@posgcd.org

Re: GMA 12 Joint Planning for the 2026 Adoption of Desired Future Conditions

Groundwater Management Area 12 Members:

UW Brazos Valley Farm LLC (“UWBVF”) appreciates the opportunity to comment on the development of desired future conditions (“DFCs”) throughout the GMA 12 joint planning process. UWBVF owns a large farm property in Robertson County where a range of crops have been, and will continue to be, produced. These crops include, for example, corn, soybeans, wheat, and grain sorghum. Over the past several years, UWBVF has worked with seven other local landowners (together, “Local Landowners”) to permit groundwater production and transport from each of our respective privately-held land parcels, consistent with the Brazos Valley Groundwater Conservation District’s rules, to help meet critical regional water supply needs. As explained in the TWDB study for the Region G Planning Area, “[i]nsufficient water supplies could not only have an immediate and real impact on the regional economy in the short term, but they could also adversely and chronically affect economic development in Texas.”¹ With the regional demand well understood, tens of millions of dollars have already been invested to advance this project. The project aligns the exercise of our and these landowners’ private property groundwater rights (fully permitted in accordance with duly adopted rules) with the public need for water supply to support the regional economy, while also providing BVGCD with protective mitigation funding.

UWBVF has previously given input to the BVGCD during its DFC Workshop and Stakeholder meeting in January 2025 and worked with other local stakeholders in the BVGCD jurisdiction regarding our mutual interests in the long-term availability of groundwater resources. In a meaningful example of local control, the District and multiple stakeholders achieved a comprehensive settlement of disputed issues in June 2025, resulting in the Local Landowners’ project holding final production and transport permits. Together, applying BVGCD’s duly adopted rules and compromising based on significant and rigorous evaluations and negotiations among locally invested parties, the unique local interests within this District informed BVGCD’s process and approach to advancing a DFC for this planning cycle. That approach supports a DFC for the Simsboro formation within GMA 12 of at least 329 feet average drawdown across the BVGCD (2000-2070).

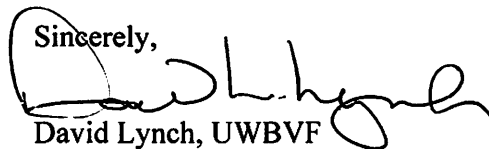
¹ Dr. John R. Ellis, Texas Water Development Board, *Socioeconomic Impacts of Projected Water Shortages for the Brazos (Region G) Regional Water Planning Area*, June 2025, at 4.

Ultimately, the GCDs of GMA 12, like other groundwater conservation districts, are tasked with setting a “reasonable” DFC.² Groundwater conservation districts that reflect local control are “the state’s preferred method of groundwater management.”³ Accordingly, it would be wildly unreasonable to adopt a DFC that ignores permitted production, as determined through a districts’ permitting processes, including the permitted supply for Texas A&M University, the Cities of Bryan and College Station, and Local Landowners. A “best estimate” approach as outlined by BVGCD in stakeholder discussions may reflect an appropriate balance for an iterative five-year planning cycle. In contrast, far from best available science, disregarding the districts’ own permitting decisions in setting a DFC would be unreasonable and unsupported by sound policy, scientific, and technical justifications.⁴ Sound science underscores the reality that the Carrizo-Wilcox Aquifer “stores enormous amounts of water” and has “significant potential for further development.”⁵ Sound science also informs the BVGCD’s approach to information-gathering through its monitoring network, rulemakings, and permitting. Sound science and sound policy align the hydrology of the Simsboro and Carrizo with advancement of a DFC that respects the exercise of property rights through the districts’ permitting processes.

A reasonable DFC must incorporate private property interests—including the mandate to begin any balancing of competing policy considerations from the “highest practicable” level of groundwater production. A reasonable DFC must also reflect how those private-property interests ultimately drive positive socioeconomic impacts. Incorporating *at least* the existing permitting (or a best estimate projection of use as an iterative measure for the planning cycle) should result in a reasonable DFC that reflects the statutorily mandated balance of interests. It would recognize that evaluations of the Simsboro show that groundwater, as a physical matter, will remain available and accessible to support positive local socioeconomic conditions while accommodating support for the broader socioeconomic health of the region and the state. The Local Landowners’ regional supply project is estimated to itself generate over \$1 billion in gross domestic product and support tens of billions of gross domestic product per year in this region. The project, just like the supply for TAMU and the Cities, relies on permitting integrity, regularity, and security – virtues Texas has long held out as key to our state’s values.

The integrity of the local District permitting, overlain on private property rights, should not be unreasonably eroded by the GMA setting a DFC that fails to reflect either the scale or accessibility of the available groundwater resources and that fails to respect a local District’s application of its local rules, through a locally-drive process, toward District-approved permitting decisions.

UWBVF looks forward to providing additional information to GMA 12 in this joint planning process.

Sincerely,

David Lynch, UWBVF

cc: Alan Day, BVGCD

² Tex. Water Code §§ 36.1083(b); 36.10835(a).

³ Tex. Water Code §§ 36.0015.

⁴ Tex. Water Code §§ 36.108(d), (d-1); 36.1083(e).

⁵ 2021 Brazos G Regional Water Plan.