

MINUTES of the May 4, 2009, 9:00 A.M., Public Hearing Concerning an Application for One Operating Permit Submitted by Swinbank Family Ltd. Partnership

Directors Present: Charles Richter, Robert Leer, Leo Kainer, Leo Wick, Sr.

Directors Absent: L.J. Calley

Others Present: David A. Van Dresar, General Manager; Monique Norman, Legal Counsel; Wendi Pyle, Administrative Assistant; Anton Becka; John Walla; Harvey Hayek; John H. Cook; John Divin, Jr.; Burdine Divin; Billy Deagen; Thomas Hudec

The public hearing was called to order by Vice President Kainer at 9:00 a.m. on May 4, 2009 at the Fayette County Agricultural Building Conference Room 104, located at 255 Svoboda Lane, in La Grange, Texas. A quorum to conduct business was declared to be present. Items to be considered during the public hearing:

A-P-2009-003	Swinbank Family Ltd. Partnership	276.2 acre feet/year
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Vice President Kainer asked for any public comments. Mr. Hudec spoke on monitoring wells and insitu monitoring devices. Mr. Hudec spoke about the possibility of cost sharing monitoring equipment between the Colorado County GCD and the Fayette County GCD.

Vice President Kainer asked for public comments regarding the application being considered. Several members of the public spoke on concerns about the well affecting groundwater levels in the area and questioned the need for so much water for growing corn.

Mr. Van Dresar stated that the application was well within the amount that could be granted by the Board per the rules. Van Dresar stated that the request was less than one acre foot of water per year for the acreage being irrigated. Ms. Norman and Mr. Van Dresar spoke on the ability of the district to regulate water production if the permitted well should affect neighboring wells. Mr. Van Dresar informed the Board that the closest water well, not owned by the property owner, was approximately .67 miles from the proposed well site. Van Dresar also stated that the well was to be used as a back up water supply for irrigation and not the primary water source.

After considerable discussion, Mr. Leer made the motion to grant the permit to Swinbank Family Ltd. Partnership. Mr. Wick seconded the motion. The motion was approved. Mr. Richter voted nay.

There being no further items on the agenda, Vice President Kainer adjourned the Public Hearing at 9:44 a.m.

L.J. Calley, President

Leo Wick, Sr., Secretary-Treasurer