



Minutes for Meeting/Hearing of the Hays Trinity Groundwater Conservation District

Date: Tuesday, March 15, 2011
Time: 7:00 pm
Place: Dripping Springs City Hall
Located: 511 Mercer Street, Dripping Springs, Texas 78620

7:00 pm: Special Meeting Opens

Board Present: Jimmy K. Skipton-President, David G. Baker-Vice President, Mark A. Key-Secretary/Treasurer, & Greg F. Nesbitt
Board Absent: Joan Jemigan
Staff Present: Rick Broun-General Manager & Tressy Gumbert-Administrative Assistant,

The following subjects were considered for discussion and/or action at said meeting:

- **Board Roll Call:**
 - Rick Broun:
 - Roll Call was taken, a quorum was present
- **Review of Meeting Protocol:**
 - Jimmy K. Skipton:
 - Announced protocol to audience
- **Public Comments: Non-Agenda Items:**
 - No public comments provided

Agenda Items:

1. Discuss and possible action on Draft Resolution – Mark key:

- Presented the following Draft Resolution:

WHEREAS, private ownership of groundwater has been recognized in the State of Texas since 1904; and

WHEREAS, the Texas Legislature recognized the ownership and rights of landowners in groundwater under Section 36.002 of the Water Code; and

WHEREAS, the long-term management of groundwater will likely require the amount of groundwater that can be produced by property owners to be limited;

THEREFORE, BE IT RESOLVED that we, the Board of the Hays Trinity Groundwater Conservation District, hereby recognize that all property owners have a vested ownership interest in groundwater beneath their property; and

THEREFORE, BE IT FURTHER RESOLVED that we believe this vested ownership interest entitles all property owners to produce a reasonable amount of groundwater; and

THEREFORE, BE IT FURTHER RESOLVED that we believe that this right is subject to fair and reasonable regulation by the district that recognizes this vested ownership interest while protecting groundwater for the future.

Public Comments:

The following presented: Jimmy Gains, Charlene Farmer, John Cobb, and Bill Davis

Board:

David Baler

- The term "vested ownership" would remove the district from protecting existing long term sustainability and may lead to undo litigation.
- Presented Greg Ellis' revised version of the resolution.

Jimmy Skipton

- Has spoken to other Groundwater Districts about the resolution and has no issue adopting it.
- Chapter 36 states that an owner cannot be "Divested".

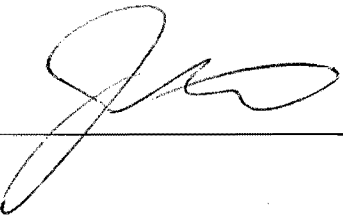
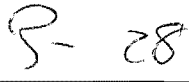
Motion

Mark Key: Approve resolution as written.

Greg Nesbitt: Seconded motion

Vote: 3-1 in Favor (Jimmy Skipton, Mark Key, and Greg Nesbit). Opposed (David Baker)

7:46 pm: Meeting Adjourn

Approved:  _____ President  _____, 2011

Approved  _____ Secretary/Treasurer  _____, 2011