

COMMENTS TO LPGCD ON END OP PERMIT 8/10/2016

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For the record, my name is Michele Gangnes and I have been asked to speak on behalf of the **Simsboro Aquifer Water Defense Fund, the League of Independent Voters and Neighbors for Neighbors**. That means I'm speaking for hundreds of people. All three groups submitted written comments on the draft permit.

I don't take that responsibility lightly but I have debated whether it matters if *any* of us speak to you tonight. The District's last minute amendments to the permit that did *not* include any amendments we recommended, brought back the disappointment that so many of us are experiencing --- the realization that *our* groundwater district has allowed itself to be painted into a corner on this particular permit.

I don't say that without also acknowledging this Board's and Mr. Totten's integrity and good instincts. But the fact remains, you let your former general manager get out ahead of the strategy you thought you were using to keep our two counties' water off the auction block. Whatever strategy you used, you have been playing defense ever since Mr. Cooper first recommended 56,000 acre-feet of water for End Op and 45,000 acre-feet for Forestar.

I would like to believe your attorneys and experts also really care what happens to us all. After watching an End Op contested case hearing they should not have let happen, and seeing the very unfortunate official record they and Aqua Water helped develop, I will let *you* decide how well served my neighbors and I should feel.

Your negotiation of a protective and fair settlement was clearly hamstrung by the SOAH judge's typical and predictable decision favoring industry. I also expected End Op's counsel to have their way with a water-inexperienced judge, but I did not expect to see my District and the water company who sells me water every month help them do it. Some might say you have done the best you could with what you had to work with. I am not sure I share that sentiment, but only the ten of you know the real answer to that question.

Ever since grass roots organizers in our counties cared enough about our counties' future, our water supply, and our neighbors to work hard to convince voters to approve forming this district, we have hung in there with you and have given you honest and substantive input and support. As one of those original organizers, I am struggling to understand what brought you to this turning point in your history. I very badly wanted to have the counsel of original board members Glenn Marburger and Travis McPhaul, who are sorely missed.

I have concluded that a series of events for which you share some responsibility have occurred, and they in turn *apparently* have taken you to the point where you have convinced yourselves it's okay to turn a blind eye and a deaf ear to us. Because I *don't* believe your oath of office includes the words "first protect the biggest straws", I *do* believe that you have a perfectly defensible opportunity to set things right. Four Lee and Bastrop county landowners have stepped up to the plate to protect all of us "little straws". We all are asking *you* to protect our interests, but they are willing to make their own case to defend the water they own under their land and the Colorado River system.

The fundamental unfairness of the decision to exclude them from participating in this case does not have to be exacerbated by granting a permit tonight that neither addresses their concerns nor assures any of us an adequate remedy if your contrived settlement doesn't work out. You can simply do your job and carry out your sole mission to protect our water supply, rather than exclude one kind of landowner in favor of another. You can either deny this permit outright or send the four landowners back to SOAH as parties, giving them ---and us ---a voice.

By "us" I mean the people who put you in business. I mean the people who don't individually have the money to fight hugely lucrative permits for outrageous amounts of water to satisfy a demand that doesn't exist - or at least only exists in the minds of gullible and irresponsible municipalities run by public servants who serve special interests. By "us" I mean those of us who elect to conserve and protect the aquifer, not exploit it to make a buck off of other people's property. I mean your neighbors in Lee and Bastrop counties, whose water supply you have sworn to protect and who have formed a defense fund for our aquifers. We *are* willing to share water; we're *not* willing to be considered expendable.