

March 17, 2007

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FO#34284

Anthony Weiblen
2918 Darlington Drive
Highland Village, TX 75077

Rick Perry
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428
Fax Number: 512-480-0158

Re: Southwest Gulf Railroad Company's proposal to construct and operate a rail line in Medina County, Texas.

Dear Mr. Perry:

The Weiblen Family requests the help of the Governor's Office in preventing the destruction of farm and ranches due to Southwest Gulf Railroad Company's (SGR) proposal to construct and operate a rail line in Medina County, Texas. The Governor's Office can accomplish this by:

- Ensuring the Surface Transportation Board (STB) incorporates modification, such as the Weiblen Modification, to the three eastern routes that minimize the division of farms and ranches, especially those that have pivot or linear irrigation sprinkler systems.
- Ensuring that all interested parties, including the STB, understand that the eastern routes divide more farms and ranches when compared to the Original Proposed Route.
- Informing all interested parties, including the STB, that the Texas Historical Commission (THC) would support the Original Proposed Route if the railroad grants a one foot conservation easement for the entire length of the route.

The Weiblen Family met with Mr. Larry Oaks, Texas Historical Commission Deputy Director, on March 14, 2007 to discuss the different routes under consideration for SGR's proposal. The four routes specifically discussed were the Original Proposed Route and the three eastern routes (Eastern Bypass Route, SGR Modified Medina Dam Route, and MCEAA Medina Dam Route). These routes are identified in aerial map in the appendix.

Through the Weiblen Family's discussions with Mr. Larry Oaks, he now understands that any intrusion on a pivot or linear irrigation sprinkler system, even minor, renders that sprinkler useless. This affects the total acreage under that sprinkler, not just the portion where the railroad passes. All of the eastern routes have this affect on some of the five sprinklers on the Weiblen Family's farm, which puts the Weiblen Family's operation out of business and destroys the livelihood of two families. (The Weiblen Family's sprinkler systems are identified as pivot, linear, and half circle on the aerial map in the appendix.) As a result, Mr. Larry Oaks has agreed to a stronger recommendation to avoid irrigated farmland and request the STB to consider the Weiblen Modification to the eastern routes.

This puts the right-of-way on the edge of Weiblen Family property, rather than dividing it.

The Weiblen Family appreciates THC's effort to protect the Weiblen farm, but this does not guarantee that the recommendation would be followed. The Weiblen Family requests that the Governor's Office join in Mr. Larry Oaks' support of modifications, such as the Weiblen Modification, to the three eastern routes that minimize the division of farms and ranches, especially those that have pivot or linear irrigation sprinkler systems.

The Weiblen Family respects the THC's position of recommending one of the three eastern routes due to the fewer number of historical sites located along these routes. However, the three eastern routes cause the most destruction to Texas farm and ranch properties. The following table shows the number of properties that are divided, partially divided, or on the boundary. The three eastern routes divide more than double the number of farms and ranches when compared to the Original Proposed Route.

Route	Divided	Partially Divided	On Boundary
Original Proposed	9	2	5
Eastern Routes			
Eastern Bypass	20	8	0
SGR Modified Medina Dam	20	8	2
MCEAA Medina Dam	21	0	0

The THC has done a good job in presenting their case to the STB. The Weiblen Family requests the Governor's Office become more involved and ensure that Texas farms and ranches are equally represented on this issue to the STB.

The Weiblen Family learned, through their meeting with Mr. Larry Oaks, that the THC is willing to support the Original Proposed Route if SGR would grant a one foot conservation easement on both sides of the rail for the entire route. Mr. Larry Oaks explained that this easement would protect the Quihi area from becoming overrun with industrial businesses. The Weiblen Family requests that the Governor's Office make this information known to all interested parties, including the STB, and negotiate a solution that uses the Original Proposed Route.

In closing, the Weiblen Family appreciates the involvement of the Governor's Office in making these three points known to all parties. If you have any questions, please contact me at 972-897-8640.

Sincerely,



Anthony Weiblen

Cc: Diana Wood, Surface Transportation Board
Todd Staples, Secretary of Agriculture

Appendix

