

MINUTES – DECEMBER 15, 2011  
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5  
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 was held at the District office in Stafford on Thursday, December 15, 2011. Board members present were Kent Lamb, John Janssen, Curtis Tobias, Darrell Wood, Ed Shultz, Kraig Froetschner, Kevin Schultz and Phillip Martin. Board member not present was Fred Grunder. District staff present was Wes Essmiller. Guests present were Jeff Lanterman and Attorney Phil Ridenour.

President Darrell Wood called the meeting to order at 12:58 p.m. The agenda was amended to include a discussion with Attorney Phil Ridenour of Cimarron, Kansas.

Phillip Martin moved, Kevin Schultz seconded to accept the November minutes as written. Motion carried 6-0-1.

Kevin Schultz moved, Phillip Martin seconded to accept the treasurer's report. Motion carried 6-0-1.

Big Bend GMD No. 5 Appointed Attorney Phil Ridenour was on hand to discuss an issue of water rights purchased by a member of the Board of Directors of GMD 5. After some discussion on the matter, Mr. Ridenour suggested that the Board of Directors consider drafting a by-law concerning business transactions by the GMD or a board member of the GMD.

Ed Shultz arrived at 1:21 p.m.

Phillip Martin moved, Curtis Tobias seconded to ask for the resignation of Board Director Fred Grunder. Motion failed by a vote of 2-5-1.

John Janssen moved, Kraig Froetschner seconded to have Mr. Ridenour draft a Fiduciary Responsibility By-Law for the District addressing future business transactions by the District. Motion carried 7-0-1.

Manager Essmiller gave the board an update on the assessment potentials in Rush and Ness Counties and also talked about the model activity in the IGUCA area. Cost estimates will be available from Balleau Groundwater about a model run in the next week.

John Janssen moved, Kevin Schultz seconded to table the discussion on the Rice County Area Rule until the January 2012 meeting. Motion carried 7-0-1.

Kraig Froetschner moved, John Janssen seconded to table the discussion on the Sterling College applications until the January 2012 meeting. Motion carried 7-0-1.

The board received an offer to purchase Water Right File No. 1771 for a price of \$1,200 per acre foot with a total of 71 AF available. The board declined the offer and Curtis Tobias moved,

Kevin Schultz seconded to approve an offer of \$71,000 from the GMD 5 for the purchase of Water Right File No. 1771. Motion carried 6-0-2.

Kraig Froetschner left the board meeting at approximately 3:00 p.m.

Kevin Schultz moved, John Janssen seconded to edit the previous waiver to the Chief Engineer concerning the Drought Term Permit Program. Motion carried 6-0-1.

Curtis Tobias moved, John Janssen seconded to accept the proposal submitted by VonFeldt, Bauer, and VonFeldt for the 2011 annual audit. Motion carried 6-0-1.

The board decided to have the next board meeting on January 19<sup>th</sup>, 2012 at 1 pm at the District office in Stafford due to the GMDA conference in New Orleans on January 12<sup>th</sup>.

With no further items to discuss, the board adjourned at 3:22 p.m.