

MINUTES –SEPTEMBER 13, 2012
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, September 13, 2012. Board members present were Darrell Wood, Kent Lamb, John Janssen, Fred Grunder, Curtis Tobias, Bob Standish, Tom Taylor, and Phillip Martin. Board member Ed Shultz was not present. District staff present was Orrin Feril. Guest present was Jeff Lanterman.

The September board meeting was called to order at 7:55 p.m.

Additions to the agenda were made 8A) Farmers National Bank entity authorization form and 8B) Open Records Request - Rick Kolbeck.

Bob Standish moved, Phillip Martin seconded to accept the August regular board meeting minutes as written. Motion carried 6-0-1.

Curtis Tobias moved, Tom Taylor seconded to accept the August Special Meeting minutes as written. Motion carried 6-0-1.

Fred Grunder arrived at 8:00 pm.

Bob Standish moved, John Janssen seconded to accept the treasurer's report. Motion carried 7-0-1.

Vested right File No SF002 was on the agenda for further discussion after the August meeting. The application is for a change in point of diversion for one of the municipal wells in for the city of St. John. This will convert one of the wells to a battery of wells. The application does not meet K.A.R. 5-25-14 (a)3(C) regarding the maximum instantaneous rate of diversion approved by a battery of wells. Curtis Tobias moved, Bob Standish seconded to recommend a waiver to K.A.R. 5-25-14 with the provision that the maximum instantaneous rate authorized under the proposed battery of wells be set at 400 gpm and the maximum instantaneous rate authorized under the existing well (Well #5) be set at 940 gpm. Motion carried 6-1-1.

Water right File No 45,846 was on the agenda for discussion. The application is for a change in type of use and change in place of use. The application currently does not meet K.A.R. 5-5-9 (a)1 regarding the calculation for determining the amount of water allowed to change from irrigation to any other type of use. John Janssen moved, Fred Grunder seconded to recommend a waiver to K.A.R. 5-5-9 for the application. Motion was denied 3-4-1.

Manager Feril gave an updated report to the board on the Rattlesnake Creek Partnership's 12-yr review. DWR had requested a letter from GMD5 giving justification for the way GMD5 approached the analysis of water savings through the AWEP (endgun removal program). Manager Feril presented the draft letter to the board. The board approved the letter with the provision that only the wetted acres removed through AWEP be submitted for calculation. The

board requested that the upcoming meeting with the Partnership be moved back one month from September 20th to the third week in October due to corn harvest and wheat drilling. The latest draft 12-yr review document was presented to the board for review. Manager Feril's comments on the analysis were discussed as well. The board agreed with the Manager Feril's analysis and recommended submission to DWR staff.

A discussion was held on the Administrative Policies of the Big Bend Groundwater Management District No. 5. It was the consensus of the board to remove articles (C) and (D) due to a lack of use. The current policies read as follows:

C. Meter Loan Policy:

Adopted August 8, 1977

Policy established to loan the District's flow meter for a maximum of three days per pump, for a deposit of \$50.00, which would be returned when the meter was returned in good working condition. A set of adapters to change from 10" to 8" for the in-line meter would also be included.

D. Disbursement of Minutes of Meeting:

Adopted August 8, 1977

Amended July 30, 1982

Original policy regarding disbursement of minutes required minutes to be disbursed at the expense of the party requesting the minutes. The policy was amended, to require a fee of \$0.25 per page for disbursement of the minutes.

Manager Feril presented the board with a new entity authorization form from the Farmer's National Bank in Stafford. The current entity authorization form on file needed to be updated. After discussion, it was agreed to have the following authorized signatures on the form: Manager, Office Manager, President and Vice-President. A new entity authorization form for the Central Kansas Water Bank will be signed at the next Water Bank board meeting.

Manager Feril presented an Open Records Request from Rick Kolbeck that was recently received in the office. The request was for a copy of a report generated by Balleau Groundwater Inc. on behalf of National Beef of Dodge City. Because no report exists to fulfill the request, the Board suggested Manager Feril deny the request.

Water Commissioner Jeff Lanterman was on hand to give an update on current issues of the Division of Water Resources. Mr. Lanterman stated that the 2011 over pumping list is in the process of being generated for use internally only by DWR staff. This list will be used to determine the water users that will receive Notice of Non-Compliance letters for 2011 water use. Mr. Lanterman also commented briefly on the recent meter reversal hearing that was held in Pratt County. The final findings and penalties are still yet to be determined.

Curtis Tobias gave an update to the activities at the KWA meeting in Coffeyville. The Ogallala Aquifer Advisory Committee (OAAC) recommended that the penalties for over pumping were stiffened. DWR rejected this proposal.

With no further items to discuss, the board adjourned at 9:48 p.m.