

MINUTES – AUGUST 14, 2014
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 August 14, 2014. Board members present were Darrell Wood, John Janssen, Curtis Tobias, Justin Gatz, Tom Taylor, Kent Lamb, and Phil Martin. Board members Bob Standish and Fred Grunder were not present. District staff present was Orrin Feril. Guests present were Jeff Lanterman, Stephanie Turner, Aron Flanders, Kim Hullman, Betty Hullman, Vance Fisher, Ray Flickner, and Richard Wenstrom.

The August regular board meeting was called to order at 7:01 p.m.

Manager Feril requested that a review of change applications for Water Right File Nos. 35128 and 39879 be added to the agenda as item 4a.

John Janssen moved and Justin Gatz seconded to accept the July minutes. Motion carried 6-0-1.

Justin Gatz moved and Tom Taylor seconded to accept the August treasurer's report. Following discussion, the motion carried 6-0-1.

Application for Term Permit File No. 20139029 was presented to the board for review. The application proposes to allow the pumping of high nutrient water from the ground water pond to the irrigation system covered by Water Right File No. 17300. The proposed term permit is to clean up the groundwater pond for migrating fowl and aquatic life. Following discussion, Curtis Tobias moved and Phil Martin seconded to waive K.A.R. 5-25-2 (Well Spacing) for a term permit not to exceed five (5) years provided the applicant work with KDA–DWR and the District to explore a permanent appropriation of water at the location. Motion carried 4-1-2.

Two changes in point of diversion applications for Water Right File Nos. 35128 and 39879 were presented for review by the board. The applicant proposes to move the authorized point of diversion for Water Right File No. 39879 to the presently authorized point of diversion for Water Right File No. 35128. Upon approval the applicant would move the authorized point of diversion for Water Right File No. 35128 1346 feet southwest to a new well. The chloride content in the irrigation well currently authorized by Water Right File No. 39879 reaches nearly 1000 ppm Cl⁻ toward the end of the irrigation season. Currently Water Right File No. 39879 is required to maintain a deep test hole and two (2) observation wells in order to monitor the chloride concentration per K.A.R. 5-25-16. Kent Lamb moved and Tom Taylor seconded to waive K.A.R. 5-25-2a (Change in Point of Diversion) provided the applicant plug the deep test hole and two observation wells along with the irrigation well for Water Right File No. 39879 and drill two (2) observation wells at the currently authorized point of diversion for Water Right File No. 35128 at locations to be determined by the District. Motion carried 6-0-1.

The board reviewed a draft regulation for the Multi-Year Flex Account (MYFA) program for use within the District. The District recently received approval from the Chief Engineer for KDA–DWR to pursue regulation to provide a third calculation method for the MYFA program per K.S.A. 82a-736 (c)(1)(D)(iii). The calculation method proposed

by the District is 450% of the base water right's certified appropriation provided the water user removes the end gun from the center pivot system during the term of the MYFA. The board discussed the draft language presented and recommended revisions be made by staff. This draft regulation shall be reviewed at the next board meeting. No further action was taken by the board.

The board next reviewed draft District policy regarding the District's groundwater model. The board discussed the draft language and requested further revisions be made to the policy for discussion at the following board meeting. No further action was taken by the board.

Manager Feril discussed staff activities for the past month and upcoming months. There will be a board roundtable meeting on August 27 in Dodge City. Manager Feril asked each board member if they would be able to make it to that meeting in order to discuss the Vision for the Future of Kansas Water with the other GMD boards. Balleau Groundwater Inc., at the request of Manager Feril, supplied a proposed scope of work to utilize the District's groundwater model to evaluate the effect of the City of Hays/R9 Ranch transfer. Following discussion, Tom Taylor moved and Phil Martin seconded to pursue the scope of work once the change applications are filed by the City of Hays with KDA-DWR. Motion carried 6-0-1.

Jeff Lanterman, representing the Division of Water Resources, was on hand to update the board on current issues. The Rattlesnake Creek impairment investigation is proceeding in Manhattan. KDA-DWR has consulted with Steve Larson, S.S. Papadopulus & Associates, Inc., to determine whether the District's groundwater model would be effective in assisting with the impairment investigation. KDA-DWR will soon be reaching out to the District for assistance in completing model scenarios using the groundwater model.

Aron Flanders with the US Fish and Wildlife Service Partners program gave an update on the Kansas Grazing Lands Coalition's (KGLC) recent proposal to the National Fish and Wildlife Foundation. The proposal is to remove invasive woody species upstream from Quivira National Wildlife Refuge within the Rattlesnake Creek subbasin. Following discussion John Janssen moved and Justin Gatz seconded to submit a letter of support for the proposal. Motion carried 6-0-1.

Ray Flickner discussed the upcoming KWA meeting in Olathe. It is anticipated that the KWA will devote significant time to discussing the Vision document.

Richard Wenstrom representing Water PACK noted the intent to write a letter of support for the proposed KGLC project.

With no further items to discuss, the board adjourned at 9:05 p.m.