

MINUTES – SEPTEMBER 11, 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 September 11, 2014. Board members present were Darrell Wood, Curtis Tobias, John Janssen, Fred Grunder, Phillip Martin, and Bob Standish. Board members Justin Gatz, Tom Taylor and Kent Lamb were not present. District staff present was Orrin Feril. Guests present were Cameron Conant, Jed Fleske, Kathie Rondeau, David Essmiller, Ray Flickner, Kevan Adams, and Donna Meckfessel.

The September regular board meeting was called to order at 7:00 p.m.

Manager Feril requested that a review of an application for permit no. 49,104 be added to the agenda as item 4a.

Phil Martin moved and Bob Standish seconded to accept the August minutes. Motion carried 5-0-1.

Bob Standish moved and John Janssen seconded to accept the September treasurer's report. Following discussion, the motion carried 5-0-1.

Application for permit number 48,895 was first presented to the board by Manager Feril. The application is for an additional 15 acre-feet (AF) to overlap on to an existing 14.95 AF authorized by Water Right File No. 42,259. The current use made of water is to cover evaporation for a 1.0 acre pond in Kiowa County. However, the recreation pond has a problem of seepage. After extensive discussion with the applicant, Bob Standish moved and Curtis Tobias to recommend denial of the application as the board feels the applicant should make every effort to resolve the seepage problem from the pond prior to requesting additional appropriations of water. Motion carried 4-0-2.

Application for permit number 49,104 was then discussed by the board. The proposed permit is for 15 AF for industrial use in Barton County. The proposed location does not meet spacing to adjacent prior appropriations of water. However, in accordance with K.A.R. 5-25-15, the applicant has acquired the appropriate amount of water for an offset within a 2-mile radius of the proposed location. Following discussion, Curtis Tobias moved and Fred Grunder seconded to waive the K.A.R. 5-25-2 and K.A.R. 5-25-15 as the water proposed for appropriation is already accounted for within the local source of supply and therefore not increasing the consumptive use of the area. Motion carried 5-0-1.

The next item for discussion is the board is the District's proposal to utilize K.S.A. 82a-736 (c)(1)(D)(iii) to create an alternative calculation method for establishing a multiyear flex account. Draft regulation was presented for discussion. Curtis Tobias moved and Phil Martin seconded to send the draft regulation to legal counsel for review prior to submission to the Chief Engineer. Motion carried 5-0-1.

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 action was taken by the board at this time.

A draft letter in response the Vision for the Future of Kansas Water document was discussed by the board. Following discussion, the board requested further emphasis on the proactive efforts of the District to conserve groundwater. No further action was taken by the board.

Kathie Rondeau and Jed Fleske, representing Pawnee County Conservation District, requested further information regarding the procedure for establishing a LEMA. Following thorough discussion with the board, it was determined that further information should be gathered to quantify the concern and to narrow down the area in question. No action was taken by the board.

Manager Feril discussed staff activities for the past month and upcoming months. The Governor's conference in Manhattan was noted as approaching quickly. Each board member was encouraged to attend as the Vision for Future of Kansas Water will be presented again including the feedback the Vision team has received throughout the year. The October board meeting will need to be rescheduled a week later due to a scheduling conflict for the Manager. Additionally, due to the timing of the Governor's conference, the November meeting may need to be rescheduled as well.

Cameron Conant, representing the Division of Water Resources, was on hand to update the board on current issues. KDA-DWR is investigating in conjunction with the District the use of water at a construction site in Barton County. Representatives for the construction company have acquired the proper dewatering term permits.

Mike Oldham submitted a written report that was read by Manager Feril.

Ray Flickner discussed the recent KWA meeting in Olathe. This meeting focused primarily on the Vision for the Future of Kansas Water and the Kansas Aqueduct project.

With no further items to discuss, the board adjourned at 8:45 p.m.