

MINUTES – MAY 12, 2016
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 May 12, 2016. Board members present were Darrell Wood, Curtis Tobias, Kent Lamb, Fred Grunder, and Tom Taylor. Board Members John Janssen, Phillip Martin, Bob Standish, and Justin Gatz were not present. District staff present was Orrin Feril. Guests present were Cameron Conant, Abe Peters, Vin Kissick, Jay Schroetlin, Rollie Peter, Simon Sullivan and Richard Wenstrom.

The May regular board meeting was called to order at 7:05 p.m. by Darrell Wood.

Manager Feril added a board review for two Applications for Permit File Nos. 49489 and 49501 as agenda items 4a and 4b respectively.

Kent Lamb moved and Curtis Tobias seconded to accept the April minutes as mailed. Motion carried 4-0-1.

Kent Lamb moved and Tom Taylor seconded to accept the May treasurer's report as mailed and presented. Following discussion, the motion carried 4-0-1.

Manager Feril provided the board with an overview of the application for permit for File No. 49536. The applicant is requesting to appropriate 57 Acre-Feet (AF) of water for thermal exchange at the grocery store in Kinsley. The proposed location does not meet spacing to nearby domestic wells within 660 feet. Following discussion with the applicant, it was determined that the proposed use is non-consumptive and therefore exempt from District closure. Curtis Tobias moved and Tom Taylor seconded to waive K.A.R. 5-25-2 and recommend approval of the application. Motion carried 4-0-1.

The application for permit File No. 49489 was presented to the board for review. The applicant is proposing to appropriate 15 AF of water at 300 gpm for irrigation of 15 acres of which 4 will be an orchard in Pratt County. This application does not meet the minimum reasonable quantity to irrigate the proposed acres. Following discussion with the applicant Curtis Tobias moved and Kent Lamb seconded to recommend approval of the application conditional on the applicant entering into a 5-year monitoring agreement with the District. Motion carried 3-0-2.

The application for permit File No. 49501 was presented to the board for review. The applicant is proposing to appropriate 15 AF of water at 500 gpm for irrigation of 23.54 acres at the Lyons golf course in Rice County. This application does not meet the minimum reasonable quantity to irrigate the proposed acres. However, it is possible for the irrigation system to be connected to the City of Lyons utility service should the golf course need water in excess of the appropriation. Additionally, the Lyons Recreation Commission has acquired water through the Central Kansas Water Bank Association that will provide additional flexibility in irrigating the turf grass at the course. Therefore, Kent Lamb moved and Curtis Tobias seconded to recommend approval of the application conditional on the applicant entering into a 5-year monitoring agreement with the District. Motion carried 3-0-2.

The Chief Engineer of the Kansas Department of Agriculture – Division of Water Resources published the Initial Report for the impairment investigation being conducted in the Rattlesnake Creek subbasin in December 2015. Since that time, the District has been working with Balleau

Groundwater Inc., local stakeholders and legal counsel to thoroughly analyze the report and supporting documents. The District comments to this initial report were presented to the board and public present for final review. Following thorough discussion, Kent Lamb moved and Tom Taylor seconded to submit the comment letter as presented with signatures of the entire board. Motion carried 5-0-0.

Manager Feril discussed staff activities for the past month and upcoming months. Recently the Kansas Water Office has extended an offer for sponsorship of the Governor's conference on the Future of Kansas Water. Following discussion on the merits of the District's sponsorship of this event, it was the consensus of the board to not sponsor the conference this year. Governor Brownback has signed House Substitute for SB 337 into law effective July 1, 2016. This bill has to do with several water issues including the implementation of rules and regulations within groundwater management districts, posting of all complete applications and orders of the Chief Engineer, reclassification of the Chief Engineer position and penalties for failure to submit annual water use reports. Mr. Feril recently spoke to the Mid-Ark Sub-basin group regarding the District's role in the Hays/R9 transfer process. It was noted that the board president should respond to a recent phone call from the Chief Engineer regarding the District's involvement with the Mid-Ark Sub-basin group. No further action was taken by the board.

Cameron Conant, representing KDA-DWR, provided the board with copies of recent correspondence between the Cities of Hays & Russell (Cities) and KDA-DWR.

Vin Kissick, representing KWA, noted an upcoming meeting in Oakley on the 18th and 19th. The fourteen regional advisory committees will provide brief updates on their action plans to the KWA at this meeting.

Richard Wenstrom, representing WaterPACK, requested a description of the board's intentions regarding modelling the impact of the Hays/R9 transfer on the aquifer. Mr. Feril explained that at this point, the applications are not yet considered complete by KDA-DWR. As such conducting model work prior to having complete applications would be premature.

In other business, Mr. Feril showed the board a map that was presented to the Great Bend Prairie RAC regarding water level data for the past 17 years. This map was shown to the board to get an idea of how the RAC is assessing the sustainability of the aquifer in the region. The board noted that it was important for the RAC to consider not just water level changes but to look at other variables in the system for a better understanding of the aquifer. No further action was taken by the board. Rollie Peter requested an informal discussion with regards to the District's purchase of two water rights within the Arkansas River subbasin west of Raymond. The board discussed several options with Mr. Peter. It was the consensus of the board that the District is not interested in purchasing these water rights at this time. The board recommended that Mr. Peter look into the CKWBA for additional options.

The next District board meeting was tentatively set June 9, 2016 at 7:00 p.m.

With no further items to discuss the board adjourned at 8:40 p.m.

Attest by: Curtis Tobias Dated June 9, 2016