

MINUTES – APRIL 12, 2018  
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, April 12, 2018. Board members present were Darrell Wood, Fred Grunder, John Janssen, Jerry Cullop, Kent Lamb, Phil Martin, Tom Taylor, and Kerry Froetschner. Board member Justin Gatz was not present. District staff present was Orrin Feril. Guests present were Jeff Lanterman, Berry Bortz, Pat Janssen, Calvin Kissick, and Lynn Preheim.\*

The April regular board meeting was called to order at 7:00 p.m. by Darrell Wood.

\* by phone  
JJ

A discussion regarding a Ducks Unlimited Conservation Innovation Grant was added to the agenda as item 4a. Agenda item 13 was moved up in the agenda to item 3a.

Phil Martin moved, and Kerry Froetschner seconded to approve the March minutes as presented. Motion carried 7-0-1.

Fred Grunder moved, and John Janssen seconded to accept the April treasurer's report as presented. Following discussion, the motion carried 7-0-1.

Fred Grunder made the following motion at 7:05 p.m.: "I move that the Board go into executive session for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and the open meeting will resume here in the meeting room at 7:20 p.m." John Janssen seconded. Motion carried 7-0-1. Following several attempts to get the District's attorney on the phone, the board came out of executive session at 7:07 p.m. as it did not meet the requirements to remain in closed session without an attorney present. All public present were informed and invited back into open session.

The District recently received request for a letter of support for a Conservation Innovation Grant ("CIG") proposal from Ducks Unlimited. The proposal was provided to all present for review and discussion. This primary objective for this grant is to determine optimal locations that are suitable for conservation practices within the Rattlesnake Creek region. Additional objectives in this grant are to determine funding sources for those conservation practices and to work with stakeholders and agencies to showcase the application of these practices in the region. Following discussion, John Janssen moved, and Jerry Cullop seconded to submit the letter of support as drafted. Motion carried 4-1-3.

Lynn Preheim joined the meeting via phone at 7:20 p.m. John Janssen made the following motion at 7:20 p.m.: "I move that the Board go into executive session for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and the open meeting will resume here in the meeting room at 7:40 p.m." Tom Taylor seconded. Motion carried 7-0-1. The board came out of executive session at 7:40 p.m.

Orrin Feril discussed staff activities for the past month and upcoming months. The CKWBA activities have occupied much of the District staff time that was otherwise taken up by work with the proposed LEMA draft. District staff is working to get the water use information for 2017 compiled in preparation for the annual report that is due April 15. It is likely that the CKWBA will request an extension of time from the Chief Engineer to get this work done properly. Recently, Mr. Feril has attended the Kansas Technical Committee's subcommittee meetings in Salina

regarding the USDA-NRCS conservation programs and their respective priorities and funding levels. These subcommittee meetings provide an opportunity to discuss each program in high detail before discussing them with the full KTC on May 1.

Orrin Feril and the LEMA committee provided a brief update on the status of the proposed Rattlesnake Creek LEMA. The LEMA committee heard several concerns about the current concepts and those concerns will be taken into further consideration by the committee as it continues to get the draft document ready for the next public review.

Jeff Lanterman, representing KDA–DWR, stated that KDA is working on a regulatory change that would allow for water movement from highly sensitive areas of the Rattlesnake Creek region to areas that have less impact. This language is still being drafted and will be presented to the District for review in the coming months.

Calvin Kissick provided an update on the KWA activities to the board. The KWA will be meeting in Lenexa on April 18. One of the items for discussion at that meeting will be the proposed changes to the Aquifer Storage Recharge project in the Equus Beds aquifer. No action was taken by the board.

Berry Bortz, representing the Great Bend Prairie RAC, provided an update on the recent RAC meeting in Pratt. Each of the RAC’s action items were updated and discussed by the committee. There is continued concern from the RAC regarding its purpose and role in the “implementation phase.” No action was taken by the board.

Pat Janssen, representing WaterPACK, noted the recent tour by The Nature Conservancy of Quivira NWR, the Water Technology Farm near Belpre, and the Hays/R9 ranch area. Additionally, there is a stakeholder-led Rattlesnake Creek working group formed to work on conservation projects throughout the area. Following a discussion on this group’s recent activities, it was the consensus of the board to have Orrin Feril get engaged with this group to assist as needed.

Phil Martin made the following motion at 8:40 p.m.: “I move that the Board go into executive session to discuss matters relating to the acquisition of real property pursuant to the preliminary discussion of acquisition of real property exception under KOMA, and the open meeting will resume here in the meeting room at 8:55 p.m.” Fred Grunder seconded. Motion carried 7-0-1. The board came out of executive session at 8:55 p.m.

The District reviewed an offer from the landowner to sell Water Right File No. 26901-D3. The offer is for 198 acre-feet at \$2,000 per acre-foot for a total purchase price of \$396,000. Following discussion, Tom Taylor moved, and Kerry Froetschner seconded to decline the offer at this time. Motion carried 7-0-1.

In other business, the board discussed a draft letter to the Chief Engineer regarding concerns from the LEMA committee regarding a few issues that were brought up in a recent meeting in Topeka. John Janssen moved, and Tom Taylor seconded to submit the letter as drafted to the Chief Engineer. Motion carried 7-0-1.

The next District board meeting was tentatively set for May 10, 2018 at 7:00 p.m.

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

Attest by: John Janssen Dated 5-10-2018