

MINUTES – AUGUST 10, 2023
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, Kansas on Thursday August 10, 2023. Board members present were Tom Taylor, Fred Grunder, John Janssen, Marlyn Spare, Craig Zwick, Gary Hornbaker, Darrell Wood, and Joe Schlessiger. Board member Kerry Froetschner was not present. District staffs present were Orrin Feril, John Hildebrand, and Vanessa Marks. The guests present were Chase Larson, Scott Waring, Pat Janssen, Brandon Bortz, Jon McClure, Leah Chadd, Todd Wycoff, Kent Moore, Vernon Hirt, and Travis Allen. Guests present via Zoom were Andy Lyon, Micah Schwalb, Chris Roenbaugh, Jeff Crispin, Jeff Lanterman, Keadon Pearson, Jim Stanford, Lynn Preheim, and Chris Smith.

The August regular board meeting was called to order at 7:00 p.m. by Tom Taylor.

Darrell Wood moved, and Craig Zwick seconded at 7:00 p.m. that the Board go into executive session for legal advice regarding on the status of the USFWS discussion with an attorney for the public body and District manager which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and the open meeting will resume in the meeting room at 7:15 p.m. Motion carried 8-0. The board came out of executive session at 7:15 p.m.

Fred Grunder moved, and John Janssen seconded to reinstate efforts to meet with USFWS to request that they withdraw the request to secure water. Motion carried 8-0.

John Janssen moved, and Craig Zwick seconded to approve the July minutes as presented. Motion carried 8-0.

Gary Hornbaker moved, and John Janssen seconded to approve the Special July minutes as presented. Motion carried 8-0.

Orrin Feril provided the board and public with the August treasurer's report and highlighted the unique items for further board review. Darrell Wood moved, and John Janssen seconded to accept the August treasurer's report as presented. Motion carried 8-0.

Chase Larson, VandWater, Inc., provided a thorough overview of a system recently developed to assist water users with water allocation monitoring. This allocation monitoring system does a good job of tracking complex allocation systems including multi-year allocations and reduced allocations. Several questions were addressed by Mr. Larson throughout his presentation. No action was taken by the board.

Andy Lyon, KDA-DOC, outlined a cost-share initiative to promote irrigation efficiency technology implementation. The proposed Regional Conservation Partnership Program (RCPP) project will be a 5-year period that is looking to enhance the technical assistance, financial assistance, and community outreach by providing ten additional irrigation specialists throughout the groundwater management districts. Currently, KDA-DOC is seeking letters of support for the project. Craig Zwick moved, and Darrell Wood seconded to provide a letter of support for the project. Motion carried 8-0.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. KDA-DOC is also seeking a recommendation from the District for the WTAP program. This program retires

water within critical areas of the state using the State General Fund. Currently, the maximum bid a water user can provide is \$2,000 per historic consumptive use of water and has not changed since 2009. The board had concerns that this amount was not keeping up with current valuations and was based on water use rather than the full property right. Joe Schlessiger moved, and Craig Zwick seconded to recommend the maximum bid rate for WTAP be set at \$6,000 per acre-foot. Motion carried 8-0. The House Committee on Water will be meeting in Topeka on August 22 and have requested an update on Quivira NWR/Rattlesnake Creek projects. This meeting will be streamed on the Kansas legislature's YouTube channel. The District's Ford Explorer is needing to be replaced with a vehicle that is more versatile for field work and travel. District staff have received bids from area dealerships and recommend a bid from Marmie's for a 2023 Chevrolet Silverado. Craig Zwick moved, and Gary Hornbaker seconded to approve the purchase of the 2023 Chevrolet Silverado from Marmie's. Motion carried 8-0. The District's hunting leases have expired, and the proposal deadline will be opened soon to accept bids for the next season. The farm leases have been automatically renewed, and Mr. Feril is in discussions with legal counsel regarding the proper path forward for consideration by the board in the next board meeting. Mr. Feril provided a brief status update for the Watershed Plan to those in attendance.

Jeff Lanterman, KDA-DWR, stated that the field office is down short three staff positions. He requested that if a water user is needing to work through an application, they need to call ahead and schedule an appointment. Mr. Lanterman noted that minimum desirable streamflow is being administered on surface water rights in the Arkansas River basin based on the gage stations at Hutchinson and Great Bend. Keadron Pearson, KWO, provided an update on the KWA activities. The KWA will be meeting in McPherson on August 23 to discuss FY2025 budget and RAC membership applications. Pat Janssen, WaterPACK, provided their perspective on the Quivira NWR/Rattlesnake Creek issues including concerns surrounding the accuracy of the Zenith USGS gage station.

In other business, Orrin Feril provided a scope of work needed for Balleau GW to finalize the model update. This scope is requesting an additional \$22,000 to complete the model update and refinement. Marlyn Spare moved, and Joe Schlessiger seconded to approve the scope of work as presented. Motion carried 8-0.

The next District board meeting was tentatively set for September 14, 2023, at 7:00 p.m. at the District office.

With no further items to discuss the board adjourned at 9:45 p.m.

Attest by: 

Dated 9-18-23