

MINUTES – JANUARY 11, 2024
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 January 11, 2024. Board members present were Darrell Wood, John Janssen, Marlyn Spare, Kerry Froetschner, Joe Schlessiger, Fred Grunder, Craig Zwick, and Gary Hornbaker. Board member Tom Taylor was not present. District staffs present were Orrin Feril, John Hildebrand, and Vanessa Marks. Guest present was Jeff Lanterman and Pat Janssen. Guests present via Zoom were Jeff Crispin, Collin Bielser, Keadron Pearson, Micah Schwalb, Chris Smith, Earl Lewis, Ken Kopp, and Randy Stookey.

The January regular board meeting was called to order at 9:00 a.m. by Fred Grunder.

Orrin Feril requested a review of Resolution 2024-1 to the agenda at Item 8a.

Kerry Froetschner moved, and Marlyn Spare seconded to approve the December minutes as presented. Motion carried 7-0.

Orrin Feril provided the board and public with the January treasurer's report and highlighted the unique items for further board review. Craig Zwick moved, and Darrell Wood seconded to accept the January treasurer's report as presented. Motion carried 7-0.

In accordance with K.S.A. 82a-1043, the District staff has completed a draft annual report for review by the board. Following discussion and review by the board, Darrell Wood moved, and Gary Hornbaker seconded to approve the annual report. Motion carried 7-0. It was the consensus of the board to have Tom Taylor as president to present the annual report to the House Water Committee on January 25, if available.

John Janssen arrived at the meeting at 9:15 am.

Orrin Feril presented an initial draft budget for FY2025 for board input. This draft budget will be presented at the February board meeting for further board input in preparation for public input at the annual meeting. The proposed FY2025 budget will be presented at the budget hearing that is held in July.

The annual meeting is coming up and the speakers are being lined up for the meeting. The annual meeting will be held on February 15 in St John at the Stafford County Annex building. The board discussed the location for the District board meeting prior to the annual meeting and it was the consensus of the board to keep the regular board meeting at the District office in Stafford. The incumbent board members were confirmed for the ballot at the annual meeting.

The board reviewed potential regulations K.A.R. 5-18-1 and K.A.R. 5-18-2 regarding guidelines for implementing water conservation areas in the state. In this discussion, the board highlighted concerns with using historic water use when "use it or lose it" has been stricken from Kansas statutes. Additional concerns regarding KDA DWR's jurisdiction regarding water quality in Kansas were raised. It was the consensus of the board to submit feedback to KDA DWR to that effect.

The board reviewed potential regulations K.A.R. 5-5-17 regarding restricting changes in point of diversion to prohibit movement of water beyond 2640 feet. In this discussion, the board noted that

each region of the state is unique, and this approach would paint the state in the same way. This seems counterproductive to supporting efforts to move water away from areas of concern, particularly in the Rattlesnake Creek region via K.A.R. 5-25-18. This proposed regulation would abolish this long-standing regulation which is an item of concern. It was the consensus of the board to submit feedback to KDA–DWR to that effect.

Randy Stookey joined the meeting virtually at 10:30 am to provide a legislative update to the board. Of note are the implementation of efforts from HB 2302 and HB 2279. At this point only HB 2459 has been introduced regarding water rights in the legislature. KDA indicated that their agenda will focus mainly on the stream obstruction act revisions.

Resolution 2024-1 was presented to the board for consideration regarding action taken in the December board meeting. Following review, Craig Zwick moved, and John Janssen seconded to adopt Resolution 2024-1. Motion carried 8-0.

RESOLUTION NO. 2024-1

The undersigned, being all the board members of Big Bend Groundwater Management District No. 5, hereby agreed to enter into a contract with Louis D. Kottman, Jr., Trustee of the Rodney D. Rolfs Revocable Trust, under trust agreement dated April 9, 1999, for the purchase price of \$392,000.00 for the purchase of 00000 NE 60th St. Stafford, Kansas, being described as follows:

The Northwest Quarter (NW/4) of Section Twenty-four (24), Township Twenty-three (23), Range Eleven (11) West of the 6th P.M., Stafford County, Kansas

The undersigned further state that Tom Taylor, President of the Board of Directors, is authorized on behalf of said Big Bend Groundwater Management District No. 5, to sign all documents for closing of the above transaction, including, but not limited to, the deed and settlement statements, to consummate the purchase of said property.

Dated this 1/11/24 day of January 2024.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. Staff is putting together a custom shirt order soon and wanted to know if the board would like anything to include in that order. The Rattlesnake Creek working group will be forming soon in Salina to discuss next steps for the region. A brief update on the Watershed Plan-EIS was provided to the board. All board members are encouraged to attend the upcoming legislative reception in Topeka. Initially Craig Zwick and Joe Schlessiger indicated they would like to attend this reception in February.

Earl Lewis, Chief Engineer, stated the agenda for the working group meeting in Salina will be available soon. Jeff Lanterman, KDA–DWR, noted that the Stafford field office is actively measuring area water levels. Keadron Pearson, KWO, noted that the annual report to the legislature has been approved and will be published soon. The two new grant opportunities provided through the state water fund saw significant interest this last month. The demand outweighed the available funding, so KWO staff is now reviewing these applications to prioritize funding.

Pat Janssen, WaterPACK, noted the water transfer process is still ongoing. WaterPACK is in the final stages of scheduling their annual meeting. Likely this meeting will be set in late February due to scheduling. It is possible that there will be a set of meetings prior to the annual meeting to discuss available funding programs.

The board discussed the timing of the next board meeting as it relates to the annual meeting. The next District board meeting was tentatively set for February 15, 2024, at 2:00 p.m. at the District office.

With no further items to discuss the board adjourned at 11:30 a.m.

Attest by:  Dated 2-9-24