

MINUTES – AUGUST 13, 2026
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 13, 2026. The board members present were Tom Taylor, Kent Moore, Fred Grunder, Kerry Froetschner, Darrell Wood, Gary Hornbaker, and Marlyn Spare. Board members Craig Zwick and Joe Schlessiger were not present at the meeting. The District staffs present were Orrin Feril and Vanessa Marks. The guests present were Keith McNickle, Dean Krehbiel, Chad Fisher, Bryce Garner, Jeff Lanterman, Cameron Conant, Roger Stotts, Ryan Koelsch (Zoom), Trevor Wood (Zoom), Michael Miller (Zoom), Scott White (Zoom), Lane Letourneau (Zoom), Earl Lewis (Zoom), and Nathan Leeper (Zoom).

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

Orrin Feril added a Red Cedar presentation and easement subcommittee discussion were added to the agenda as items 3a, and 6a respectively.

Kent Moore moved, and Gary Hornbaker seconded to approve the July minutes as presented. Motion carried 7-0.

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

Over the course of the last few months, the board has informally discussed the possibility of selling the land owned by the District. Ryan Koelsch, Red Cedar Land Co, provided the board with a summary their company's experience and laid out options for the District board to sell the land. Following full discussion with Mr. Koelsch, Fred Grunder moved, and Darrell Wood seconded to table the discussion. Motion carried 7-0. Marlyn Spare moved, and Kerry Froetschner seconded to authorize Tom Taylor to enter negotiations with Red Cedar Land Co. Motion carried 7-0.

The District received a recommendation request for Application number 51613. The applicant is requesting divert up to 15 acre-feet of groundwater to fill a 3.73 acre recreation pond along the NF Ninnescah River. The District received the application in April 2026. Water right file number 51068 was approved by KDA-DWR on December 17, 2024 for 15 acre-feet at the center of section 05 to the west of the proposed location. KAR. 5-25-15(a)(1) limits the total authorized quantity for the application as well as any previously authorized permits to not exceed 15 acre-feet within a one-mile radius. The well location for App 51316 does not meet the required one-mile radius limitation due to the spacing to the previously authorized water right file number 51068. In June, the District recommended denial of the application due not meeting K.A.R. 5-25-15(a)(1). The applicant has requested to appeal the District recommendation by the board of directors. Following discussion of the situation, Kent Moore moved, and Fred Grunder seconded to deny the appeal as presented but encouraged the applicant to work with the District to pursue options to meet the regulatory requirements. Motion carried 7-0.

The Kansas Department of Agriculture – Division of Conservation submitted six water rights to the District for recommendation for the FY2026 spring enrollment into the Water Transition Assistance Program (WTAP). This program utilizes state water plan funding to retire water rights within critical regions identified by GMDs and state agencies. For the FY2026 enrollment period, there is \$1,975,000 available for two target regions (Rattlesnake Creek and Prairie Dog Creek). KDA-DWR has evaluated these water rights for potential benefit to streamflow. This evaluation

was presented to the board for consideration. Kent Moore moved, Marlyn Spare seconded to provide a ranking order of Water Right 38722, 35002, 35758, 25772 and to not recommend approval of 30431-D4 and 23491. Motion carried 7-0.

Dean Krehbiel, NRCS-KS, presented the draft Kansas Water Framework for developing pilot programs across the state that align with both local and statewide conservation goals. Additionally, this framework provides opportunities for private money to be able to invest in the same conservation programs. NRCS is looking for the GMDs to lead the process for the design and implementation of the framework.

Over the course of the last few weeks, the easement subcommittee has been meeting to discuss the options available for the District to secure easement access for the Watershed Plan wellfield to conduct additional test pumping in the region. A thorough discussion was held amongst the board and public present regarding the appropriate compensation for securing that access. Following that discussion, Kent Moore moved, and Fred Grunder seconded to provide \$2,500 per test site. Motion carried 6-1.

Earl Lewis, Chief Engineer, presented the current desire of KDA-DWR to transition the pilot augmentation project along the Rattlesnake Creek to a permanent “in-basin augmentation” project. Currently, the project has approximately \$2M available and KDA-DWR would like to partner with the District to advance the project. Roger Stotts, KWUA, outlined a proposal to install approximately 8.5 miles of pipeline within Stafford county. Further, the Chief Engineer requested that the District assume operational control of the project moving forward through a cooperative agreement with KDA-DWR. Darrell Wood moved, and Gary Hornbaker seconded to move forward with the in-basin augmentation project matching 1:1 with KDA-DWR funds and authorize Tom Taylor and Orrin Feril to work with legal counsel to finalize pertinent agreements. Motion carried 6-1. Gary Hornbaker moved, and Darrell Wood seconded to authorize a down payment of \$500,000.00 for pipeline materials payable to Al’s H2O Services & Repairs LLC with a signed contract prior to check submission. Motion carried 7-0.

The discussion on the proposed MYFA regulations (K.A.R. 5-16-1 through 5-16-7) was pushed to the September meeting.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. This month District staff submitted the annual assessments to the county clerks for processing. The District office has been very busy with withdrawals from the Central Kansas Water Bank Association Water Bank Association. The water quality collection project is having some issues that staff is working through to be able to remove collected sediment in the bottom of the wells. Recently, the office phone system was replaced with a new system to better serve the public. There is a meeting in Denver that the GMD managers have been invited to attend in the coming weeks. More information will be provided after the meeting.

The District’s action plan was submitted to KDA-DWR on June 29 in advance of the statutory deadline. Earl Lewis, Chief Engineer, noted that the majority of the action plan looks fine but there are a few concerns that are preventing him from approving it. Following a brief discussion, the board requested that the Chief Engineer and staff work with the District manager to work through the language in preparation for the September board meeting.

Vanessa Marks, CKWBA, noted how many water users have been coming into the office to withdraw water from their respective savings accounts.

In other business, the recent revisions to the water flowmeter regulations were highlighted with the board noting the new requirement for landowners to keep a maintenance log throughout the season. Additionally, the change in point of diversion regulation is now in effect that limits changes in location to be 300 feet or less unless specific requirements are met. The board discussed the implications of these regulations and asked that they be included in the next issue of the District's newsletter to keep the public informed.

The next District board meeting is tentatively set for September 10, 2026, at 7:00 p.m.

With no further items to discuss, the board adjourned at 10:20 p.m.

Attest by:  Dated: 9-10-26