

MINUTES – JANUARY 15, 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 January 15, 2026. The board members present were Tom Taylor, Kent Moore, Darrell Wood, Kerry Froetschner, Gary Hornbaker, Marlyn Spare, Craig Zwick, and Joe Schlessiger. The board member not present was Fred Grunder. The District staffs present were Orrin Feril and Vanessa Marks. The guests present were Jeff Lanterman, David Stroberg (Zoom), Jeff Klepper (Zoom), Anna Krstulic (Zoom), Aimee Davenport (Zoom), Jeff Crispin (Zoom), Lane Klepper (Zoom), Chris Smith (Zoom), Garret Smith (Zoom).

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

Gary Hornbaker moved, and Craig Zwick seconded to approve the December minutes as presented. Motion carried 8-0.

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

The District received an application to offset water from within the Rattlesnake Creek region for application number 51530 to appropriate 188 AF for irrigation use on 134.3 ac in the SE1/4 of 36-20S-12W in Barton County. This is an offset application that would retire Water Right File No. 39881. As presented, this application does not meet K.A.R. 5-25-22(a)(7). The cumulative impact for this application, as expressed in percent of average streamflow, is a positive 0.57% for Rattlesnake Creek at Zenith and no significant negative impacts on other streams. Based on KDA-DWR technical documentation, these impacts are reasonable and not anticipated to cause impairment of existing water rights. Following this discussion, Darrell Wood moved, and Marlyn Spare seconded to recommend a waiver of the pertinent regulation and recommend approval of the application. Motion carried 7-1.

The District received two applications to offset water from within the Rattlesnake Creek region for application numbers 51581 & 51582 to reduce water right file number 39126. As presented, application numbers 51581 & 51582 do not meet the K.A.R. 5-25-22 (a)(1), K.A.R. 5-25-22 (a)(4), K.A.R. 5-25-22 (a)(7), and K.A.R. 5-25-22 (a)(8). The cumulative impact for these applications, as expressed in percent of average streamflow, is a positive 0.08% for Rattlesnake Creek at Zenith and a negative 0.07% for North Fork Ninescah River at Arlington. Based on KDA-DWR technical documentation, these impacts are reasonable and not anticipated to cause impairment of existing water rights. Following this discussion, Marylyn Spare moved, and Kerry Froetschner seconded to recommend a waiver of the pertinent regulation and recommend approval of the applications. Motion carried 7-1.

The District received an application to offset water from within the Rattlesnake Creek region for application number 51578 to appropriate 165.3 AF for irrigation use on 135 acres in 26-23S-16W. Water Right File Number 18924-D2 would be dismissed if this application is approved. The proposed location does not meet K.A.R. 5-25-22(a)(7) and K.A.R. 5-25-22(a)(8). The cumulative impact for this offset application, as expressed in percent of average streamflow, is a positive 0.49% for Rattlesnake Creek at Zenith and a negative 0.03% for Arkansas River at Larned. Based on KDA-DWR technical documentation, these impacts are reasonable and not anticipated to cause impairment of existing water rights. Following this discussion, Kerry Froetschner moved, and

Craig Zwick seconded to recommend a waiver of the pertinent regulation and recommend approval of the application. Motion carried 7-0-1 (Joe Schlessiger abstaining).

The District received an application to change the point for water right file number 5699 within the city limits of Great Bend. This application requesting to transfer approximately 70 million gallons (~214 AF) from Well 5 to Well. According to the applicant, Well 5 is testing high in PFAS. As presented, this application does not meet K.A.R. 5-25-2(a) due to the number of domestic wells within 660 feet of Well 9. The applicant is not proposing to drill new wells, just adjust the quantity authorized from each well under the water right. Following this discussion, Craig Zwick moved, and Kent Moore seconded to recommend a waiver of K.A.R. 5-25-2 and recommend approval of the application. Motion carried 8-0.

Marlyn Spare made the following motion at 9:30 a.m.: “I move that the board go into executive session for 30 minutes for the purpose of consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship related to sensitive information in the Rattlesnake Creek matter, and the open meeting will resume here in the meeting room at 10:00 a.m.” Kerry Froetschner seconded. Motion carried 8-0. The board came out of the executive session at 10:00 a.m.

Orrin Feril provided an update on the current status of the Rattlesnake Creek Watershed Plan – EIS document. The document has been revised and updated following public review and comments. NRCS has reviewed and approved the final revisions. The document is ready for the District’s review prior to publication on the Federal Register. The board discussed several of the core components of the proposed actions and implications for the foreseeable future. Following this discussion, Darrell Wood moved, and Kerry Froetschner seconded to approve Resolution 2026-1. Further questions regarding public comments and respective responses were addressed by Orrin Feril. Motion carried 8-0.

RESOLUTION NO. 2026-1

WHEREAS the Big Bend Groundwater Management District No. 5 (“the District”), a body politic and corporate, Stafford, Kansas, was established under the authority of K.S.A. 82a-1020 for the proper management of groundwater resources of the state; and

WHEREAS, creating a sustainable long-term watershed plan to manage groundwater resources is critical to supporting a strong agricultural economy in the region; and

WHEREAS, the District has the authority to implement such watershed planning, using its authority to purchase, hold, and convey land, water rights and personal property; construct, operate and maintain works determined necessary; and to construct and establish research, development, and demonstration projects, as may be deemed necessary or convenient for watershed planning under K.S.A. 82a-1028 et seq.; and

WHEREAS, the District has received funding from the Natural Resources Conservation Service (“NRCS”) under Public Law 566 (PL-566) for the implementation of an approved alternative under the Watershed Plan – Environmental Impact Statement for the Rattlesnake Creek Watershed dated December 2025; and

WHEREAS, the District has the authority to accept and use grants or other financial assistance that the federal government and other public or private sources shall make available to carry out the purposes and functions of the district under K.S.A. 82a-1028 (t); and

WHEREAS, the Board of Directors reviewed the final Watershed Plan – Environmental Impact Statement for the Rattlesnake Creek Watershed dated December 2025; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Big Bend Groundwater Management District No. 5 hereby approves the final Watershed Plan – Environmental Impact Statement for the Rattlesnake Creek Watershed dated December 2025.

ADOPTED the 15th day of January 2026 by the Board of Directors of the Big Bend Groundwater Management District No. 5 at a regular meeting.

In accordance with K.S.A. 82a-1043, the District staff has completed the annual report for review by the board. Recommendations were to revise the asset list on page 4 to more accurately reflect the number of acres purchased in November 2021. Following discussion and review by the board, Gary Hornbaker moved, and Kent Moore seconded to approve the 2025 annual report as amended and authorizing the manager to make any pertinent grammatical revisions prior to submission to the legislature. Motion carried 8-0.

Orrin Feril presented an initial draft budget for FY2027 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 FY2027 budget will be presented at the budget hearing that is held in July. Accordingly with the Watershed Plan-EIS progressing to the next phase within FY2026, the District will need to hold a revised budget hearing to account for the anticipated expenditures within FY2026. This has not yet been scheduled.

The annual meeting is coming up and the speakers are being lined up for the meeting. The annual meeting will be held on February 17 in St John at the Stafford County Annex building. The board discussed the location for the District board meeting prior to the annual meeting. The incumbent board members were confirmed for the ballot at the annual meeting. Prior to the annual meeting the District will hold a public hearing at 3:00pm for the revised GMD management program.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The board was reminded to get their water use reports submitted to KDA–DWR as soon as possible and to submit a copy of those reports to the CKWBA. District staff have been completing the annual water level measurements and will be compiling the annual maps for presentation at the annual meeting. The communications methodology for the District’s weather stations are about to be overhauled. AT&T is discontinuing phone line service to several stations. Other phone companies are not able to accommodate these stations within their networks. Therefore, these stations will be updated to use cell modem service at the expense of no longer being able to provide voice calling to the stations. Staff is working on possible alternative solutions, but this has not yet been finalized. A meeting was held with KGS staff to discuss the assistance with expanding the District’s observation well network into the western counties. At this point, KGS is willing to assist with the siting for each location as well as drilling the shallow and intermediate wells at those locations. The deep bedrock well would need to be completed by a private contractor. In the December meeting, the board discussed the possibility of utilizing a third party for the District’s payroll service. A quotation for this service was provided to the board. At this point, due to the steep cost, the District board chose to continue the payroll process as we currently handle it.

Jeff Lanterman, KDA–DWR, noted the pilot augmentation is currently operating with the possibility of expansion to additional sites pending test drilling. KDA–DWR is completing their water level measurements and note a general 1-2 foot rise in water table since January 2025. Vanessa Marks, CKWBA, provided an update on water bank activities. Water use reports are

coming in and being processed. The CAMP is expanding to a larger area but without additional funding for the contracts beyond the state payment. David Stroberg, KWA, noted upcoming meetings in Topeka in January as well as the availability of the recently published Kansas Water Authority's annual report.

The next District board meeting is tentatively set for February 17, 2026, at 3:30 p.m.

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

Attest by:  Dated: 2-17-26