MINUTES – JULY 09, 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 July 09, 2026. The board members present were Tom Taylor, Kent Moore, Fred Grunder, Kerry Froetschner, Gary Hornbaker, Joe Schlessiger, Marlyn Spare, and Craig Zwick. Board member Darrell Wood was not present at the meeting. The District staffs present were Orrin Feril and Vanessa Marks. The guests present were Aron Flanders, Keith McNickle, Susan Metzger (Zoom), Jeff Crispin (Zoom), Jeff Lanterman (Zoom), and Chris Smith (Zoom).

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

Orrin Feril added a board review for Application 51683, a discussion regarding Phreatophyte removal and an executive session regarding the preliminary discussion regarding the acquisition of real property were added to the agenda as items 3a, 4a and 5a respectively.

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

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

The District received a recommendation request for Application number 51683 for recreational use in SW¼ of 11-23S-12W. The applicant is requesting 15 acre-feet that would require an offset of existing water rights per K.A.R. 5-25-15. The applicant has filed a reduction request for Water Right file 37758 to account for the offset of water. However, the application does not meet K.A.R. 5-25-2 for well spacing to nearby existing water rights. The application was reviewed by the board of directors and following discussion, Kent Moore move, Craig Zwick seconded to recommend a waiver of K.A.R. 5-25-2 and recommend approval of the application as presented. Motion carried 8-0.

Susan Metzger, Kansas Water Institute, presented a draft proposal for the KWPPI for a Master Irrigator program in Kansas. This proposal would be conducted in coordination with all five GMDs in the state to provide education and outreach of GMD programs and best management practices for irrigation. Following discussion, Marlyn Spare moved, and Gary Hornbaker seconded to support the KWI proposal. Motion carried 8-0.

Aron Flanders, USFWS Partners Program, is currently working with private landowners adjacent to District land (NW 13-23S-11W) to remove invasive woody species. To make this more effective, the invasive woody species present on District lands should be removed as well. Mr. Flanders discussed this with the board and addressed several questions. Marlyn Spare moved, and Fred Grunder seconded to pursue and enter into agreement to remove invasive woody species on NW 13-23S-11W and designate Orrin Feril as signatory. Motion carried 8-0.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The District's action plan was submitted to KDA–DWR on June 29 in advance of the statutory deadline. The Olsson contract for the design/implementation of the Watershed Plan was recently executed. The NRCS contracts are currently being finalized. In the coming weeks, the manager will be attending the GMDA conference in Lubbock TX.

Craig Zwick made the following motion at 7:40 p.m.: "I move that the board go into executive session for the preliminary discussion regarding acquisition of real property exception under KOMA with District Manager Orrin Feril in connection with the implementation of the Rattlesnake Creek Watershed Plan, and the open meeting will resume here in the meeting room at 8:00 p.m." Kent Moore seconded. Motion carried 8-0. The board came out of executive session at 8:00 p.m.

Marlyn Spare moved, and Joe Schlessiger seconded to appoint Gary Hornbaker, Craig Zwick, and Darrell Wood to assist the district manager with determining proposed easement compensation for the Rattlesnake Creek Watershed Plan. Motion carried 8-0.

Tom Taylor recessed the regular board meeting at 8:00 p.m. and opened the budget hearing at 8:00 p.m. to consider the revised 2026 budget and proposed 2027 budget. Orrin Feril provided proof of publication for the hearing and provided copies of the proposed budgets to all in attendance. Mr. Feril read the revised 2026 budget noting any proposed changes from the adopted 2026 budget. President Taylor then asked for any comments and questions from the audience including those attending via Zoom. Revisions to better reflect the current financial status of the District for 2026. Mr. Feril read the proposed 2027 budget noting any proposed changes from the adopted 2026 budget. Hearing no comments or concerns from the audience or board members, President Taylor called for the hearing to close and reconvened the regular meeting at 8:27 p.m.

Kent Moore moved, and Kerry Froetschner seconded to adopt the revised 2026 budget and Resolution 2026-6 as presented. Motion carried 8-0.

RESOLUTION NO. 2026-6

WHEREAS the Big Bend Groundwater Management District No. 5 ("the District"), 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, the District is a body politic and corporate and has the authority to levy a water user charge and land assessment under K.S.A. 82a-1028 (h) to finance the operations of the District; and

WHEREAS, the Board of Directors adopted a proposed budget at this year's annual meeting; and

WHEREAS, the Board of Directors has submitted the modified budget for FY2026 to the eligible voters of the District at a budget hearing called for that purpose; and

WHEREAS, at least one (1) budget hearing notice was published in a newspaper or newspapers of general circulation within the District at least twenty-eight (28) days prior to the budget hearing;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Big Bend Groundwater Management District No. 5 hereby adopts the modified FY2026 budget as submitted at the budget hearing.

BE IT FURTHER RESOLVED THAT THE land assessment is hereby set at five ($0.05) cents per acre for eligible tracts of land as defined by K.S.A. 82a-1030 (a).

BE IT FURTHER RESOLVED THAT THE water users charge is hereby set at one ($2.00) dollar for each acre-foot of groundwater as defined by K.S.A. 82a-1030 (a).

ADOPTED the 9th day of July, 2026 by the Board of Directors of the Big Bend Groundwater Management District No. 5 at a regular meeting.

Gary Hornbaker moved, and Marlyn Spare seconded to adopt the proposed 2027 budget and Resolution 2026-7 as presented. Motion carried 8-0.

RESOLUTION NO. 2026-7

WHEREAS the Big Bend Groundwater Management District No. 5 ("the District"), 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, the District is a body politic and corporate and has the authority to levy a water user charge and land assessment under K.S.A. 82a-1028 (h) to finance the operations of the District; and

WHEREAS, the Board of Directors proposed the budget at this year's annual meeting; and

WHEREAS, the Board of Directors has submitted the proposed budget for FY2027 to the eligible voters of the District at a budget hearing called for that purpose; and

WHEREAS, at least one (1) budget hearing notice was published in a newspaper or newspapers of general circulation within the District at least twenty-eight (28) days prior to the budget hearing;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Big Bend Groundwater Management District No. 5 hereby adopts the proposed FY2027 budget as submitted at the budget hearing.

BE IT FURTHER RESOLVED THAT THE land assessment is hereby set at five ($0.05) cents per acre for eligible tracts of land as defined by K.S.A. 82a-1030 (a).

BE IT FURTHER RESOLVED THAT THE water users charge is hereby set at two ($2.00) dollars for each acre-foot of groundwater as defined by K.S.A. 82a-1030 (a).

ADOPTED the 9th day of July, 2026 by the Board of Directors of the Big Bend Groundwater Management District No. 5 at a regular meeting.

Jeff Lanterman, KDA–DWR, noted that orders have been sent regarding late water use reports suspending the related water rights until the water use report is received. The District's action plan is currently being reviewed by KDHE and KDA–DWR. With the recent rains, the MDS orders on the Little Arkansas River and Arkansas River were rescinded at Great Bend.

Vanessa Marks, CKWBA, reintroduced the request from CKWBA for GMD5 assistance with sealing water flowmeters that are participating in the Association programs. Following further discussion, Kent Moore moved, and Gary Hornbaker seconded to allow the use of GMD5 seals and assist in the implementation of the installation as requested by CKWBA. Motion carried 7-1.

In other business, the upcoming Kansas Corn listening tour was announced and the board was encouraged to attend.

The next District board meeting is tentatively set for August 13, 2026, at 7:00 p.m.

With no further items to discuss, the board adjourned at 9:00 p.m.

Attest by: Marilyn Evans Dated: 8-13-26