

MINUTES – MAY 09, 2013  
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 on Thursday, May 09, 2013. Board members present were Darrell Wood, Fred Grunder, John Janssen, Curtis Tobias, Tom Taylor, Kent Lamb, Phillip Martin, Justin Gatz and Bob Standish. District staffs present were Orrin Feril and John Hildebrand. Guests present were Stan Kaiser, Jonathan Aguilar, Jeff Lanterman and Mike Oldham.

The May regular board meeting was called to order at 7:02 p.m. by Darrell Wood.

The April meeting minutes were presented to the board for approval. Bob Standish moved and Kent Lamb seconded to accept the April minutes as written. Motion carried 6-0-1.

The May treasurer's report was presented for approval. Bob Standish moved and Curtis Tobias seconded to accept the May treasurer's report. Following discussion, the motion carried 6-0-1.

Justin Gatz and Phil Martin arrived at 7:09 p.m. and 7:14 p.m., respectively.

The first item up for discussion was a change application on Water Right No. 17,705. The application proposes to convert a portion of the water (15.17AF per K.A.R. 5-5-10) from irrigation use to industrial use. A reduction request is being processed for Water Right No. 27,905 to remove DWR ID#5 from the permit. This well will be utilized for the converted portion of water for Water Right No. 17,705. The application is in need of a waiver to K.A.R. 5-25-2 (well spacing). Bob Standish moved and Tom Taylor seconded to waive K.A.R. 5-25-2 due to the fact that all other wells within 1320 feet are owned and operated by the owner/applicant. Motion carried 8-0-1.

The next item on the agenda was the baseline water quality database for the District. It was requested in the April meeting to determine the cost for performing water quality tests that would check for the typical chemicals found in hydraulic fracturing fluids (BTEX). Manager Feril noted that he has been in contact with the only KDHE certified laboratory in Kansas (Continental Analytical Services) that can test for the presence BTEX, but has not yet received a price quote from that company. The board discussed issues regarding possible water quality problems that may arise from saltwater line ruptures that run above ground. No action was taken.

The Rattlesnake Creek subbasin project update was discussed briefly. Manager Feril recently attended the comprehensive conservation plan public meetings in Stafford and Great Bend for Quivira NWR. The general discussion at these meetings revolved primarily around when hunting areas are opened and closed. There has not been new information regarding the Quivira NWR impairment claim from DWR staff. No action taken.

Manager Feril discussed the manager's report with the board. District staff has been in the field recently performing meter inspections, regular maintenance on weather stations and water level measurements. GMD5 has been receiving many requests for ultrasonic meter testing for MYFA permits. As a result there is a growing backlog for these tests until staff can make it out to the field to perform these tests.

There has been a request from concerned landowners within the District regarding downed trees within streambeds that are creating ponding behind the “dams.” GMD5 is not equipped to handle this request at this time and no action was taken by the board. GMD5 board discussed the sponsorship of the Governor’s conference in October. Curtis Tobias moved and Fred Grunder seconded to collectively sponsor the event with the other four GMDs at the gold level. Motion carried 8-0-1. With the addition of recent staff, GMD5 will be getting new identification and name badges. The board declined having badges made for each board member. The board discussed the GMD5 policy regarding prior notification to landowners prior to entry upon private property for inspection purposes. Following discussion, Fred Grunder moved and John Janssen seconded to remove the policy. Motion carried 8-0-1. The amended policy reads:

***U. Prior Notification to Landowners:***

*Adopted November 9, 2000*

*Removed May 9, 2013*

*It shall be the policy of Big Bend GMD #5 that District staff shall notify individual landowners prior to entry upon private property for inspection purposes.*

*Inspection purposes include all necessary procedures for compliance and enforcement of the rules and regulations and district standards and policies.*

*Inspections include:*

- 1. flow meters*
- 2. logging of observation wells*
- 3. water sampling*
- 4. place of use monitoring*

*Other programs include:*

- 1. Entry upon private property for research purposes tailwater and endgun (waste of water violations)*
- 2. water level measurements*
- 3. water samples*
- 4. weather stations*

*The policy was removed to allow the District staff more flexibility in enforcing compliance of the rules and regulations and district standards and policies.*

Jeff Lanterman, representing the Division of Water Resources, was on hand to update the board on current issues. The telemetry add-on for McCrometer MO300 meters was recently approved for use in Kansas. There was recent proposed legislation regarding the removal of end guns in the State of Kansas. The limited transfer permit legislation was recently signed by the governor. No regulations are in place for where the legislation is to be utilized.

The upcoming KWA meeting is in Newton on May 16, 2013.

With no further items to discuss, the board adjourned at 9:09 p.m.