

MINUTES – SEPTEMBER 13, 2018  
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, September 13, 2018. Board members present were Darrell Wood, John Janssen, Kent Lamb, Tom Taylor, Kerry Froetschner and Phil Martin. Board members Fred Grunder, Justin Gatz and Jerry Cullop were not present. District staff present was Orrin Feril. Guests present were Jeff Lanterman, Leah Chadd, Mitch Mulch, Keith Miller, Leroy Wetzel, Berry Bortz, Pat Janssen, and Andy Keller.

The September regular board meeting was called to order at 7:00 p.m. by Darrell Wood.

The meeting's agenda was modified to add two items following agenda item 3. Agenda item 3a was added to have a review of proposed change applications for Water Right File Nos. 16878.02 and 41588. Agenda item 3b was added to have a video conference with Andy Keller regarding the Cities of Hays and Russell change applications at approximately 7:30 p.m.

Kent Lamb moved, and Tom Taylor seconded to approve the August minutes as presented. Motion carried 5-0-1.

Orrin Feril provided the board and public with the September treasurer's report and highlighted the unique items for further board review. Phil Martin moved, and John Janssen seconded to accept the September treasurer's report as presented. Following discussion, the motion carried 5-0-1.

The District recently received a change application for Water Right File Nos. 16878.02 and 41588 in Barton County for review and recommendation. Water Right 41588 is currently authorized for feed preparation (industrial use) for the facility. The proposal is to convert this well to stockwater and to add the facility area to the place of use to allow this water to be used throughout the interconnected system. Water Right 16878.02 is for stockwatering and is requesting to distribute the existing authorized quantity amongst the existing points of diversion within the facility. Over the past two years, the facility has been expanded and the water rights are in the process of being adjusted to ensure that the facility stays within the combined authorized quantity for the associated water rights. The requested changes do not meet K.A.R. 5-25-2 for well spacing to existing wells for water rights of earlier priority. Following discussion with the applicant, John Janssen moved, and Kerry Froetschner seconded to Recommend waiver of K.A.R. 5-25-2 to recommend approval of the applications as presented. Motion carried 5-0-1.

Orrin Feril discussed staff activities for the past month and upcoming months. The feedback from the August 27 public informational meeting has been in support of the LEMA committee's efforts. The District's revised management program needs review and updating by the District board. The District has submitted a revised management program to the Chief Engineer previously in 2008 but it did not get reviewed for consistency with Kansas statutes. The District's management program has been updated to accommodate current activities and is ready for the board to consider these changes as well as the stakeholders of the District. By consensus of the board, this revised management program will be published to the District's website and a copy sent to the board for review.

Andy Keller, Keller-Bliesner, LLC, joined the meeting at approximately 7:20 p.m. via video conference. Mr. Keller provided the board and public with a presentation highlighting the basis for his determination that the regulatory requirements for K.A.R. 5-5-9 are met that require the Chief Engineer to conduct a site-specific net consumptive use analysis of the change applications.

Following the presentation, Mr. Keller answered several questions from the those in attendance. John Janssen moved, and Kent Lamb seconded to supplement the August 28, 2018 recommendation to have the Chief Engineer utilize K.A.R. 5-5-9 (c) to determine the net consumptive use for the Cities of Hays and Russell change applications based on site specific data prior to final determination of the change applications. Motion carried 5-0-1.

The LEMA committee updated the board on the status of the proposed Rattlesnake Creek LEMA. Recently, the LEMA committee met with KDA to discuss several key items in the draft document. The committee discussed several aspects of the current draft with the board, including accounting for CKWBA savings accounts, grouping of water rights, and individual accountability. No action was taken by the board.

Orrin Feril provided an update on the KWA activities to the board. The KWA met recently in Manhattan. At the meeting, the Chief Engineer noted that KDA will soon be drafting rules for the water conservation area program statewide. The KWA approved the FY 2020-2021 budget process as well.

Berry Bortz provided a brief update on the Great Bend Prairie RAC activities. At the KWA meeting, the Chief Engineer noted a climate correlation tool that KDA is using to determine a definition for conservation. The standard operating procedure for the regional advisory committees was presented to KWA for discussion. No action was taken by the board.

Pat Janssen, representing WaterPACK, noted the continued efforts to secure funding for augmentation and conservation programs in the District. No action was taken by the board.

In other business, Phil Martin noted a perception by the Walnut Creek Basin Association that the Cities of Hays and Russell change applications won't move forward.

The next District board meeting was tentatively set for October 11, 2018 at 7:00 p.m.

With no further items to discuss the board adjourned at 9:15 p.m.

Attest by:  Dated 10/11/18