

MINUTES – JULY 09, 2020  
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, July 9, 2020. Board members present were Darrell Wood, Fred Grunder, John Janssen, Kerry Froetschner, Tom Taylor, and Marlyn Spare. Phil Martin, Craig Zwick, and Justin Gatz were not present. District staffs present were Orrin Feril and Devan Cooper. Guests present were David Stroberg, Jeff Lanterman, John Hamm, Richard Wenstrom, and Gary Hornbaker.

The July regular board meeting was called to order at 7:00 p.m. by Darrell Wood and introductions were conducted to assist with maintaining a record of those in attendance.

A discussion with Gary Hornbaker was added to the agenda as item #4a and a draft NRCS Watershed Act proposal letter of intent as agenda item #7a.

John Janssen moved, and Kerry Froetschner seconded to approve the June minutes as presented. Motion carried 5-0-1.

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

In the May board meeting, the board of directors reviewed an application number 50294 to appropriate water in Pratt County. Since the May board meeting, the applicant has requested an appeal of this board action. The applicant's representative, John Hamm, provided additional background and answered several questions from the board. Following the discussion of the options available, Marlyn Spare moved, and Fred Grunder seconded to recommend denial of the appeal and to uphold the May recommendation with no modifications. Motion carried 5-0-1.

Earlier in the year, the District purchased approximately 120 acres in SE Stafford county. Of which, approximately 65 acres are dryland farm ground. Gary Hornbaker was the tenant farmer for the ground with the previous landowner. He requested to discuss terms for continuing farming with the District as the landowner. Several options were discussed amongst the board. Marlyn Spare moved to have cash rent the 65 acres to Gary Hornbaker for \$40/acre contingent on the adjacent CRP ground payments. Motion died for lack of second. The board discussed whether the District would have to put this out for open bid to potential area tenants. Orrin Feril stated he would investigate this requirement. Kerry Froetschner moved, and Fred Grunder seconded to have Marlyn Spare and Fred Grunder work with Gary Hornbaker on the terms and have Gary Hornbaker begin farming the ground contingent on the outcome of the open bid issue. Motion carried 5-0-1.

Orrin Feril discussed staff activities for the past few months and upcoming months. Devan is working through the assessment review process and this is anticipated to take 3-4 weeks to complete. The approved hydrologic profiling work with the Kansas Geological Survey has been delayed due to COVID-19 and personnel travel restrictions. In preparation for further land acquisitions or easements, Mr. Feril has acquired a bid from Ad Astra Appraisal to conduct a market study of the area throughout the proposed wellfield area for the streamflow augmentation project. The bid estimate is \$1850 to conduct this study. Following a brief description of the intent of this market study, Marlyn Spare moved, and John Janssen seconded to approve the bid for \$1850 to have Ad Astra Appraisal to conduct the study. Motion carried 5-0-1.

Orrin Feril presented a draft letter of intent for the District to pursue a funding opportunity through the Watershed Act. The board discussed the process and economic impact numbers in the letter. Mr. Feril described the process used to determine these impact numbers. The board requested that these numbers be adjusted based on better information from WaterPACK and Stafford County Economic Development. John Janssen moved, and Marlyn Spare seconded to approve the draft letter subject to correcting the economic impact numbers. Motion carried 5-0-1.

Darrell Wood recessed the regular board meeting at 8:00 p.m. and opened the budget hearing to consider the 2021 budget. Orrin Feril provided proof of publication for the hearing and provided copies of the proposed budget to all in attendance. Mr. Feril read the proposed budget noting any proposed changes from the adopted 2020 budget. President Wood then asked for any comments and questions from the audience. Following discussion with the audience, President Wood called for the hearing to close and reconvened the regular meeting at 8:10 p.m.

#### EXPENDITURES

##### PERSONNEL SERVICES

SALARIES	\$	225,000
EMPLOYEE BENEFITS		45,000
PAYROLL TAXES		22,500

##### ADMINISTRATION

TRAVEL & CONFERENCE	\$	20,000
FIELD EQUIPMENT		10,000
UTILITIES		12,000
PRINTING & PUBLICATIONS		8,000
OFFICE SUPPLIES		5,000
OFFICE EQUIPMENT		5,000
BUILDING EXPENSE		3,000

##### OTHER EXPENSES

WATER MANAGEMENT	\$	1,000,000
PROFESSIONAL FEES		500,000
WEATHER STATION EXPENSE		15,000
INSURANCE		13,000
POSTAGE		2,000
OTHER		2,000
BUSINESS DINNERS		1,500
DUES & MEMBERSHIPS		500

TOTAL BUDGET                      \$    1,889,500

##### ASSESSMENT RATES

PER ACRE	\$	0.05
PER ACRE-FOOT		2.00

John Janssen moved, and Tom Taylor seconded to adopt the proposed 2021 budget and Resolution 2020-3 as presented. Motion carried 5-0-1.

RESOLUTION NO. 2020-3

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 proposed budget for FY2021 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 FY2021 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, 2020 by the Board of Directors of the Big Bend Groundwater Management District No. 5 at a regular meeting.


Jeff Lanterman, KDA-DWR Stafford field office, provided an update on the activities in their office. Its anticipated that the state offices will continue to work from home for the foreseeable future.

David Stroberg, KWA representative, stated that the KWA held their last meeting via web conferencing on June 17. Much of the discussion centered around sedimentation.

Richard Wenstrom, WaterPACK, commended the District board for taking the prudent steps to secure a workable solution to the Quivira NWR impairment complaint. The KDA-DWR rebuttal to the WaterPACK legal brief in the City of Hays water right issue is pending soon. The WaterPACK brief and appendices are available on KDA-DWR's website.

The next District board meeting was tentatively set for August 13, 2020 at 7:00 p.m.

With no further items to discuss the board adjourned at 8:15 p.m.

Attest by:  Dated 8-13-2020