

MINUTES – NOVEMBER 21, 2024
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 November 21, 2024. The board members present were Tom Taylor, John Janssen, Marlyn Spare, Gary Hornbaker, Darrell Wood, Kerry Froetschner, Fred Grunder, and Craig Zwick. Board member Joe Schlessiger was not present. The District staffs present were Orrin Feril and Vanessa Marks. The guests present were Pat Janssen, Jeff Lanterman, Tim Boese, and David Stroberg. The guests present via Zoom were Joey Lamon, Aimee Davenport, Shannon Kenyon, Regina Goff, Kelvin Clay, Russ Rambat, Jeff Crispin, and Chris Smith.

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

A review of term permit applications 20239048 & 20239049 was added to the agenda as item 4a.

Craig Zwick moved, and Gary Hornbaker seconded to approve the October minutes as presented. Motion carried 7-0.

Orrin Feril provided the board and public with the November treasurer's report and highlighted the unique items for further board review. Darrell Wood moved, and Craig Zwick seconded to accept the November treasurer's report as presented. Motion carried 7-0.

The District received a recommendation request for a change in point of diversion application filed for Water Right File No. 13010. The applicant is desiring to move the point of diversion authorized by Water Right 13010 south to overlap on top of Water Right 19990. These two water rights already share the place of use and are limited in quantity when operated together. This proposed change would result in a net move away from the Pawnee River. However, the application does not meet the requirements of K.A.R. 5-25-2a that requires well location changes to be within 2640 feet. As presented, the total proposed movement is 2,757 feet. Fred Grunder moved, and Kerry Froetschner seconded to recommend a waiver of K.A.R. 5-25-2a(a) and recommend approval of the application as presented. Motion carried 7-0.

The applicant is desiring to temporarily discontinue pumping from Water Right File No. 33290 ("Well 15") and transfer a portion of the authorized quantity to utilize existing wells authorized by Water Right 33436 ("Well 11") and Water Right 33439 ("Well 14"). This request is due to elevated nitrate concentrations (11 ppm) and PFAS concentrations in Well 15. The City is working with KDHE to site and construct a replacement well for Well 15. As presented, the proposed locations for the term permits (20239048 and 20239049) do not meet K.A.R. 5-25-2 for spacing to domestic wells (660 feet) and non-domestic wells (1320 feet). Additionally, this application does not meet the requirements for K.A.R. 5-25-13 that requires term permits to be one calendar year or less. Following an overview of the issue facing the City of Pratt, Darrell Wood moved, and Marlyn Spare seconded recommending a waiver of K.A.R. 5-25-2 and K.A.R. 5-25-13 and recommending approval of the applications in public interest for water quality. Motion carried 7-0.

The District has been seeking proposals for leasing seven parcels owned by the District for hunting purposes (RFP 202409002). The District received one bid and the bidder's identity was kept anonymous during board discussion. Following discussion, Marlyn Spare moved, and Kerry Froetschner seconded to accept the bid from Bidder 1 for parcels RSC02, RSC04, RSC05, and RSC06 at \$26/ac totaling \$16,343.08 for a term to expire on May 31, 2025. Motion carried 7-0.

John Janssen joined the meeting at 9:25 a.m.

The District has been reviewing the revised management program for the District for several months. Per recently adopted District policy, the District actively solicited comments and feedback from the public via the website, social media and traditional publications. The District did receive feedback. This feedback was provided to the board for consideration prior to discussion and final review of the revised management program. Orrin Feril walked the board and public present through the entire revised management program highlighting the revisions and addressed questions. Marlyn Spare moved, and Craig Zwick seconded to approve the management program as revised and authorized Orrin Feril to make pertinent grammatical changes that might be needed prior to submission to the Chief Engineer for approval. Motion carried 8-0.

The District received the first proposed Water Conservation Area (WCA) in the region at the end of October. Per K.S.A. 82a-745(h), the District has 45 days to review the WCA and provide written recommendation to the Chief Engineer. The WCA was discussed thoroughly by the board regarding the potential impact the WCA may have on the District's management of the region. Jeff Lanterman and Vanessa Marks provided additional information regarding their respective entities' perspectives on the proposed WCA. The area water right holders were recently notified of this WCA, and the public comment period continues until December 3, 2024. There was concern from the board regarding this WCA setting a precedent in Central Kansas as well as how this WCA will handle existing MYFA and MDS water rights. Orrin Feril noted that he will continue to work with legal counsel and will have further clarification on several of these issues when the board meets again in December. The board will either need to take formal action in the December meeting or request a 30-day extension from the Chief Engineer.

Over the past several months, the KDA-DOC and KWO have been working out the details for the High Plains Aquifer RCPP with the NRCS-KS staff. These details are not yet finalized and ready for the District's review. A brief overview of the objectives for the RCPP were discussed including the goal of achieving 10% savings off historic use per GMD area. A few sticking points were discussed including how that 10% savings is to be measured, personnel logistics for administering the program in the field. The goal is to have these details ironed out in anticipation of a memorandum of agreement with KDA-DOC in January 2025.


Orrin Feril discussed staff activities for the past few weeks and upcoming months. The annual meeting is approaching quickly considering the upcoming holidays. A brief discussion regarding featured speakers and the proposed time of day for the meeting was held amongst the board. Currently the by-laws dictate that the annual meeting be held on the third Thursday in February. It was requested that the by-laws be amended in February to allow the annual meeting to be held any time within February. These revisions would be presented for consideration by the public in February 2025. Those who attended the Governor's Water Conference provided a brief review of the conference to all in attendance.

Jeff Lanterman, KDA-DWR, provided an update on KDA's pilot augmentation project on Rattlesnake Creek, noting the direct response seen at the Zenith gage following initiation of the project. Questions were addressed by Jeff Lanterman regarding the monitoring of water quality in the project. David Stroberg, KWA, noted recent meetings held in Oakley and Manhattan to discuss the strategic implementation of the Kansas Water Plan & budget implications for 2025. Pat Janssen, WaterPACK / Great Bend Prairie RAC, recently attended a GMD3 public outreach meeting in Dodge City and noted their current progress. The WaterPACK annual meeting is tentatively scheduled for February 26. Vanessa Marks, CKWBA, provided an update on the

CAMP project including current levels of funding and facilitation. Tim Boese, GMD2, stated that their district is working with KGS to initiate a statewide water quality database to increase the collective understanding of the quality of water in the state.

The next District board meeting was tentatively set for December 12, 2024, at 9:00 a.m. at the District office.

With no further items to discuss the board adjourned at 12:05 p.m.

Attest by:  Dated: 12-18-24