

**PROPOSED AGENDA
BOARD OF DIRECTORS MEETING
EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT
NO. 2**

**Tuesday, June 9, 2015
1:00 p.m.**

**313 Spruce Street • Halstead, KS 67056-1925
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- 1. APPROVAL OF MINUTES**
- 2. APPROVAL OF AGENDA**
- 3. FINANCIAL REPORT**
- 4. APPROVAL OF EXPENDITURES**
- 5. PUBLIC FORUM –** *Persons may present written or verbal comments concerning non-agenda business. Please limit presentation to five minutes.*
- 6. APPEAL REVIEW**
 - a) NCRA, Vested Right MP-18 Change Application, Section 5-20S-3W, McPherson County
- 7. OLD BUSINESS –** None Pending
- 8. NEW BUSINESS**
 - a) Request for Review and Comments – Proposed Changes to K.A.R. 5-1-1 and 5-12-1
- 9. AGENCY & COMMITTEE REPORTS**
 - a) Division of Water Resources
 - b) Kansas Water Authority
 - c) Lower Ark Basin Advisory Committee
- 10. MANAGER'S REPORT**
 - a) ASR Project Report
 - b) Hydrologic Condition Report
 - c) Administrative and field tasks
 - d) Monthly information and service report
- 11. ADDITIONS TO THE AGENDA**
- 12. BOARD ROUND TABLE DISCUSSION –** Fred Seiler, President

Notice: All Board of Directors meeting and any portion thereof are open to the public, except for closed or executive meetings, as prescribed by K.S.A. 75-4319. Please complete a meeting notice form, if you wish to be notified of Board of Directors meetings, hearings, work sessions or other business meetings. Notice forms may be obtained by contacting the Equus Beds Groundwater Management District No. 2.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2
JUNE 9, 2015

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting June 9, 2015, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Fred Seiler called the meeting to order at 1:00 p.m.

Directors and staff present during all or portions of the meeting:

Fred Seiler, President	David Stroberg, Member
Vin Kissick, Vice-President	Bob Seiler, Member
Mike McGinn, Treasurer	David Bogner, Member
Jeff Winter, Secretary	Tim Boese, Manager
Alan Burghart, Member	David Stucky, Attorney
Joe Pajor, Member	Steve Flaherty, Hydrogeologist

Directors absent: None

Others attending the meeting or portions thereof were:

Jeff Lanterman, DWR – Stafford	Lisa French, Cheney Watershed
M.S. Mitchell, WABA – Wichita	Andy Vogelsberg, NCRA - McPherson
Ray Flickner, Wichita	Daniel Clement, Burns & McDonnell - Wichita
Brian Meier, Burns & McDonnell–Wichita	Rhett Heflin, NCRA - McPherson

ITEM 1 -- APPROVAL OF MAY 12TH MEETING MINUTES

Moved by Vin Kissick to approve the minutes as amended. David Bogner seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by Bob Seiler to approve the agenda as written. Alan Burghart seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 3 -- FINANCIAL REPORT

Moved by Vin Kissick to approve the May financial report. David Stroberg seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by David Stroberg to approve the June expenditures. Vin Kissick seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 5 -- PUBLIC FORUM

Fred Seiler, President, asked if any audience member wish to present any comments to the Board of Directors. Lisa French updated the Board on the Equus-Walnut Regional Goal Leadership Team draft goals and advised that the Kansas Water Authority had sent to the team comments and questions concerning some of the goals and that the team would review the comments and revise the goals as needed.

Ray Flickner updated the Board on the May 20-21, 2015, Kansas Water Authority meeting and advised that he was resigning his KWA position effective June 10, 2015.

ITEM 6 -- APPEAL REVIEW

a) NCRA, VESTED RIGHT MP-18 CHANGE APPLICATION, 05-20-3W, McPHERSON COUNTY

Steve Flaherty, Hydrogeologist, presented information regarding Vested Right MP-18 change application. The applicant was present and provided information to the Board.

FINDINGS:

1. The application does not comply with the Standby Well Definition K.A.R. 5-22-1(gg)(4);
2. The proposed conversion of Well #8 from a primary well to a standby well does not meet the Standby Well Definition requirement that a standby well must be located within 300 feet of a primary well;
3. The proposed change application complies with minimum spacing requirements to all other domestic and non-domestic points of diversion;
4. Well #8 is showing significant decline in productivity.
5. On May 11, 1999, the Board of Directors recommended an exception to the Standby Well Definition to allow the applicant to add a standby well (well #11) located more than 300 feet from the primary wells;
6. On August 8, 2006, the Board of Directors recommended an exception to the Standby Well Definition to allow the applicant's Well #3 to be changed from a primary well to a standby well and be located more than 300 feet from the primary wells;
7. On February 10, 2009, the Board of Directors recommended an exception to the Standby Well Definition to allow Well #11 to be changed from a primary well to a standby well and be located more than 300 feet from the primary wells;
8. Well #8 will serve as a standby well for all four primary industrial wells used at the refinery;
9. It would not be feasible to install standby wells within 300 feet of each primary industrial well;
10. The proposed relocation of Well #11 to a new well site (Well #14) complies with the District's Revised Aquifer Management Program and rules and regulations, K.A.R. 5-22-1 through K.A.R. 5-22-17; and
11. The change application is subject to the metering regulation 5-22-4(a).

Moved by Joe Pajor and seconded by Bob Seiler to recommend to the Chief Engineer that the change application be granted an exception to the Standby Well definition K.A.R. 5-22-1(gg)(4), and the change application be recommended for approval, subject to the installations of water flowmeters on the five industrial wells and one standby well, pursuant to District metering regulation K.A.R. 5-22-4(a). Motion carried with 8 Directors for, 0 Directors against, 1 Director (Alan Burghart) abstained, and 0 Directors absent.

ITEM 7 -- OLD BUSINESS – NONE PENDING

ITEM 8 -- NEW BUSINESS

a) REQUEST FOR REVIEW AND COMMENTS - PROPOSED CHANGES TO K.A.R. 5-1-1 AND 5-12-1

Tim Boese, Manager, reviewed with the Board a letter dated May 14, 2015, from DWR requesting comments concerning a proposed change to the Aquifer Storage and Recovery Permitting Regulation K.A.R. 5-12-1 and the "Basin storage area" definition K.A.R. 5-1-1. The draft language was reviewed by the Board. The proposed modifications would change the vertical extent minimum index level of a basin storage area to the lowest bedrock elevation. The current language specifies the minimum index level to be lowest water-level that occurred within 10 years of filing the application for a permit to appropriate water, or a period of time longer than 10 years to reflect the lowest water-level. The District was not consulted with before the regulation modifications were drafted.

Moved by Bob Seiler and seconded by Mike McGinn to oppose the proposed changes to K.A.R. 5-1-1 and 5-12-1 and to advise DWR that further discussion is needed with the District. Motion carried with 8 Directors for, 1 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Jeff Lanterman, DWR Stafford Field Office Water Commissioner, advised that all minimum desirable streamflow (MDS) cease pumping orders had been rescinded due to recent rainfall. He also advised that a meter tampering investigation located outside the District boundaries was ongoing.

b) KANSAS WATER AUTHORITY

Vin Kissick, Vice-President, Joe Pajor, Member, and Tim Boese, Manager, reviewed the KWA meeting on May 20 & 21, 2015, in Greensburg.

c) LOWER ARKANSAS BASIN ADVISORY COMMITTEE

Vin Kissick, Vice-President, reported that the LABAC would be transitioning to 14 regional advisory committees (RAC) and that the GMD2 would be in the Equus-Walnut region. He further advised that he intended to submit his application to be on the Equus-Walnut RAC.

ITEM 10 -- MANAGER'S REPORT

a) ASR PROJECT REPORT

Tim Boese, Manager, advised there was recharge in May but that he did not yet have the totals from the City of Wichita. He also advised that the Cheney Reservoir conservation pool was full and the flood pool was at 12.87%, and that the 2013 ASR Accounting Report was received by the District and would be reviewed at a future Board meeting.

b) HYDROLOGIC CONDITION REPORT

Steve Flaherty, Hydrogeologist, gave a brief presentation showing the recent rainfall effects on river flow and groundwater levels.

c) ADMINISTRATIVE & FIELD TASKS

Tim Boese, Manager, advised District staff had been busy working on new and change applications and reviews, safe-yield requests, meter inspections, water permit consultations, and DWR processing. He also advised that interviews for the Administrative Assistant position had been conducted and he was in the process of checking references and hope to select a candidate soon.

d) MONTHLY INFORMATION AND SERVICE REPORT

Tim Boese, Manager, advised the May report was in the Board booklet.

ITEM 11 -- ADDITIONS TO THE AGENDA

There were none.

ITEM 12 -- BOARD ROUND TABLE DISCUSSION – FRED SEILER, PRESIDENT

Joe Pajor, Member, provided information about the ASR project.

Mike McGinn, Treasurer, advised he wanted to clarify that he was not against District wide modeling and that he had previously voted against approving the expenditure due to the budget and assessment rates implications.

Moved by Bob Seiler and seconded by Vin Kissick to adjourn the meeting. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

Fred Seiler, President, adjourned the Board meeting at 3:19 p.m.

Respectfully submitted,



Jeff Winter
Secretary

JW/TDB/db