

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

**Tuesday, July 14, 2015
1:00 p.m.**

Conference room

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 state your name and address. Presentations are limited to five minutes.
- 6. APPEAL REVIEW** – None Pending
- 7. OLD BUSINESS**
 - a) City of Wichita Change Application Nos. 45569, 45570, 45571
- 8. NEW BUSINESS**
 - a) DWR Regulation Process & Proposed Changes to K.A.R. 5-1-1 and 5-12-1
 - b) City of Wichita ASR Project 2013 Annual & Accounting Report
 - c) Monitoring Well Site EB208 & IW25 Repairs
 - d) August Board Meeting Location
 - e) Resolution ME 2015-1 Adoption of Land and Water Assessment Rates
- 9. AGENCY & COMMITTEE REPORTS**
 - a) Division of Water Resources
 - b) Kansas Water Authority
 - c) Lower Ark Basin Advisory Committee / Equus-Walnut Regional 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** – Vin Kissick, Vice-President

NOTICE: A Board of Directors meeting and any portion thereof is 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 #2.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

JULY 14, 2015

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting July 14, 2015, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. Vice-President Vin Kissick called the meeting to order at 1:03 p.m.

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

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

Directors absent: Fred Seiler & Bob Seiler

Others attending the meeting or portions thereof were:

Cameron Conant, DWR – Stafford	Lane Letourneau, DWR - Manhattan
Susan Metzger, KDA - Manhattan	Tracy Streeter, KWO - Topeka
Michael Jacobs – City of Wichita	Daniel Clement, Burns & McDonnell - Wichita
Brian Meier, Burns & McDonnell–Wichita	Don Henry, City of Wichita
Scott Macey, City of Wichita	

ITEM 1 -- APPROVAL OF JUNE 9TH MEETING MINUTES

Moved by Joe Pajor to approve the minutes as written. David Bogner seconded the motion. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by David Stroberg 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 Mike McGinn to approve the June financial report. Jeff Winter 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 July expenditures. David Bogner seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 5 -- PUBLIC FORUM

Vin Kissick, Vice-President, asked if any audience member wish to present any comments to the Board of Directors. Michael Jacobs, City of Wichita, presented information to the Board regarding how much water the City had used from Cheney Reservoir and the Equus Beds Aquifer for the 1st and 2nd quarters of 2015. Through June, the City had obtained 83% of its water supply from Cheney Reservoir. The Board thanked Mr. Jacobs for the information.

ITEM 6 -- APPEAL REVIEW – NONE PENDING

ITEM 7 -- OLD BUSINESS – NONE PENDING

a) CHANGE APPLICATIONS #45569, #45570, & #45571

Tim Boese, Manager, reviewed a letter from the Chief Engineer, DWR, regarding the District's Board's March 24, 2015, approval recommendation conditions for change applications filed on Water Permit Nos. 45569, 45570, 45571.

At the March 24, 2015, meeting, it was the decision of the Equus Beds Groundwater Management District No. 2 Board of Directors to recommend the referenced change in place of use and use made of water applications for approval, subject to the following conditions:

1. The municipal use made of water for Water Permit Nos. 45569, 45570, and 45571 is limited to:
 - a. During times of limited physical recharge capacity;
 - b. Equipment conditioning and maintenance;
 - c. Transmission line maintenance; and/or
 - d. Water supply in lieu of withdrawing groundwater from the Equus Beds Aquifer.
2. The municipal use made of water is limited to 300 acre-feet per year per water permit for Water Permit Nos. 45569, 45570, and 45571; and
3. The municipal use made of water is further limited to a total of 300 acre-feet per year combined for Water Permit Nos. 45569, 45570, and 45571.

Subsequently, the Chief Engineer sent a letter to the District dated June 3, 2015, advising that the City of Wichita had provided sufficient information to DWR that the change application approvals should not be subject to the District Board's condition numbers 2 & 3, and that the Chief Engineer intended to approve the change applications without condition numbers 2 & 3, unless the District provided additional information supporting the basis for the conditions.

In response to the Chief Engineer's request, the referenced change applications were reviewed by the District Board of Directors at the July 14, 2015, meeting. Upon review, it was moved by Mike McGinn and seconded by Jeff Winter to leave the March 24, 2015, approval recommendation condition numbers 2 & 3 unchanged and forward the recommendation to the Chief Engineer.

Prior to voting on the original motion, moved by Mike McGinn and seconded by David Bogner to amend the original motion to modify condition numbers 2 & 3 as follows:

2. The municipal use made of water is limited to **500** acre-feet per year per water permit for Water Permit Nos. 45569, 45570, and 45571; and
3. The municipal use made of water is further limited to a total of **500** acre-feet per year combined for Water Permit Nos. 45569, 45570, and 45571.

Amendment motion carried with 6 Directors for, 1 Directors against, 0 Directors abstained, and 2 Directors absent.

The original motion, as amended, was then voted on and motion carried with 6 Directors for, 1 Directors against, 0 Directors abstained, and 2 Directors absent.

The Board's recommendation to limit the quantity of water for municipal use was based on their concern regarding the depth of the bank storage wells, the connection between the Little Arkansas River and the aquifer in the zone the wells are screened at, and the potential that groundwater instead of surface water could be pumped from the bank storage wells for municipal use. The Board was also concerned that the original intent and authorized use of the bank storage wells were for recharge of the aquifer, not for municipal use, and thus the municipal use should be limited to insure that the primary use of the bank storage wells remained as source water for aquifer recharge

ITEM 8 -- NEW BUSINESS

a) DWR REGULATION PROCESS & PROPOSED CHANGES TO K.A.R. 5-1-1 AND 5-12-1

Susan Metzger, Kansas Department of Agriculture, and Lane Letourneau, Division of Water Resources, reviewed with the Board the Kansas Department of Agriculture regulation development process and stages and the proposed most recent draft modifications to K.A.R. 5-1-1 and 5-12-1.

Moved by Joe Pajor and seconded by Mike McGinn for the District to send a letter to Mr. Letourneau thanking him and Ms. Metzger for reviewing the regulation development process and the proposed changes to K.A.R. 5-1-1 and 5-12-1 with the Board. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

b) CITY OF WICHITA ASR PROJECT 2013 ANNUAL & ACCOUNTING REPORT

Steve Flaherty, Hydrogeologist, reviewed the City of Wichita's Aquifer Storage and Recovery (ASR) Project 2013 Annual and Accounting Report. Board discussion followed.

Moved by Alan Burghart and seconded by David Stroberg that:

1. The 2013 Accounting & Annual Report meets the requirements set forth in the initial and (and as later modified) order for the ASR Project and the Aquifer Storage and Recovery System: Data Reporting Requirements Regulation K.A.R. 5-22-10(a),
2. Water quality information should continue to be represented graphically, with the inclusion of the shallow index monitoring well data; and
3. Index water-levels continue to be represented graphically (hydrographs) and geographically (water-level change maps).

Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

c) MONITORING WELL SITE EB208 & IW25 REPAIRS

Tim Boese, Manager, reviewed with the Board pictures and information about a drainage ditch that was constructed by the Eagle Drainage District too close to the District's monitoring wells EB208 and IW25, and that the integrity of the monitoring wells was compromised.

Moved by Mike McGinn and seconded by David Stroberg to have District staff obtain cost estimates to reinforce the area around the monitoring wells and also to re-drill the monitoring wells and then discuss the matter with the Eagle Drainage District Board.

Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

d) AUGUST BOARD MEETING LOCATION

It was the consensus of the Board to have the August 11, 2015, meeting at the NCRA Refinery in McPherson, including a tour of the refinery, with details to be worked out between District staff and Alan Burghart, Member.

e) RESOLUTION ME 2015-1 ADOPTION OF LAND AND WATER ASSESSMENT RATES

Tim Boese, Manager, advised it was necessary to adopt a resolution for FY 2016 assessment rates. Board discussion followed.

Moved by David Stroberg and seconded by Alan Burghart to adopt the resolution for \$0.05 per acre for land and \$1.00 per acre-foot for water. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Director absent.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Cameron Conant, DWR Stafford Field Office Assistant Water Commissioner, advised that was no cease pumping administration due to minimum desirable streamflow (MDS) currently occurring in the District, as streamflow was above the MDS trigger level.

b) KANSAS WATER AUTHORITY

Tim Boese, Manager, advised that in addition to David Stroberg being recommended by the Board to be on the Kansas Water Authority (KWA), the District also had to recommend two additional candidates. Based on this, the District had forwarded the names of Vin Kissick and Alan Burghart as recommendations to the KWA in the event that David Stroberg was not appointed.

c) LOWER ARKANSAS BAC / EQUUS-WALNUT RAC

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 advised that he submitted his application to be on the Equus-Walnut RAC.

Moved by Jeff Winter and seconded by Joe Pajor for the District to send a letter to the Kansas Water Office supporting Vin Kissick to be a member of the Equus-Walnut RAC and also request that a groundwater management district representative be added to the "core group" category of each regional advisory committee in which a groundwater management district completely or partially overlaps with a regional advisory committee area and that the respective groundwater management district would nominate the candidate. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 10 -- MANAGER'S REPORT

b) ASR PROJECT REPORT

Tim Boese, Manager, advised the recharge in May was 133 acre-feet for Phase I and 216 acre-feet for Phase II. The recharge for June was 155 acre-feet for Phase I and 473 acre-feet for Phase II. He also advised that the Cheney Reservoir conservation pool was full and the flood pool was at 16.16%, and that the flow in the Little Arkansas was 21 cfs at the Highway 50 gauge and 229 cfs at the Valley Center gauge.

c) HYDROLOGIC CONDITION REPORT

Steve Flaherty, Hydrogeologist, gave a brief presentation showing the recent modeling work he had completed for a new water permit application's potential pumping impacts near a VOC contamination plume near Yoder.

d) ADMINISTRATIVE & FIELD TASKS

Tim Boese, Manager, advised District staff had been busy working on new and change applications and reviews, quarterly water-level measurements, cathodic protection borehole applications, and witnessing cathodic protection borehole installations.

e) MONTHLY INFORMATION AND SERVICE REPORT

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

ITEM 11 -- ADDITIONS TO THE AGENDA

There were none.

ITEM 12 -- BOARD ROUND TABLE DISCUSSION – VIN KISSICK, VICE-PRESIDENT

Tim Boese, Manager, advised of an upcoming Water Congress meeting in Lawrence on August 6 & 7.

Tom Adrian, Attorney, advised that he and David Stucky had a recent article regarding streambed regulations published.

Moved by David Stroberg and seconded by Jeff Winter to adjourn the meeting. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

Vin Kissick, Vice-President, adjourned the Board meeting at 4:15 p.m.

Respectfully submitted,



Jeff Winter
Secretary

JW/TDB/db