

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

Tuesday, July 12, 2016

1:00 p.m.

Conference room

313 Spruce Street • Halstead, KS 67056-1925

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1. APPROVAL OF MINUTES

- a) June 21, 2016 Meeting
- b) June 29, 2016 Meeting

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

- a) Larry L. Stucky, Application. No. 48965, NE 10-21S-3W, McPherson Co.

7. OLD BUSINESS – None Pending

8. NEW BUSINESS

- a) Kansas Water Congress 2016 Sumner Conference – July 26 & 27
- b) Resolution ME 2016-1 Adoption of Land and Water Assessment Rates

9. AGENCY & COMMITTEE REPORTS

- a) Division of Water Resources
- b) Kansas Water Authority
- c) Equus - Walnut Regional Advisory Committee

10. MANAGER'S REPORT

- a) ASR Project Report
- b) Administrative and Field Tasks
- c) 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 12, 2016

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting July 12, 2016, 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 1:10 p.m.

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

Vin Kissick, Vice-President
Jeff Winter, Secretary
Mike McGinn, Treasurer
Bob Seiler, Member

Alan Burghart, Member
David Bogner, Member
Tom Adrian, Attorney
Tim Boese, Manager
Steve Flaherty, Hydrogeologist

Directors absent: Fred Seiler, President, David Stroberg, Member, Joe Pajor, Member

Others attending the meeting or portions thereof were:

Larry Stucky, McPherson
Cameron Conant, DWR Stafford
Daniel Clement, Burns & McDonnell
Alex Thang Nguyen, Newton

ITEM 1

APPROVAL OF JUNE 21ST MINUTES

Moved by David Bogner and seconded by Alan Burghart to approve the minutes. Motion carried with 5 Directors for, 0 Directors against, 0 Directors abstained, and 4 Directors absent.

APPROVAL OF JUNE 29TH MINUTES

Moved by Bob Seiler and seconded by David Bogner to approve the minutes. Motion carried with 5 Directors for, 0 Directors against, 0 Directors abstained, and 4 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by Bob Seiler and seconded by David Bogner to approve the agenda. Motion carried with 5 Directors for, 0 Directors against, 0 Directors abstained, and 4 Directors absent.

ITEM 3 -- FINANCIAL REPORT

June Financial Report

Moved by Bob Seiler and seconded by David Bogner to approve the June financial report. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by Alan Burghart and seconded by Jeff Winter to approve the July expenditures. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

ITEM 5 -- PUBLIC FORUM- NONE

ITEM 6 -- APPEAL REVIEW

a) Larry L. Stucky, Application. No. 48965, NE 10-21S-3W, McPherson Co.

Steve Flaherty, Hydrogeologist, presented information regarding application No. 48965. The applicant was present and provided information regarding the application.

FINDINGS:

1. Application No. 48965 requests 187.2 acre-feet for irrigating 144 acres.
2. The applicant requested the proposed point of diversion be moved to a more suitable location (4260' N & 400' W) to try to meet the safe yield.
3. Both proposed well locations meet the minimum spacing requirement.
4. The application does not comply with the District's Safe Yield Rule and Regulation K.A.R. 5-22-7(a) at either proposed well locations.
5. Safe yield will be met at the new location (4260'N and 400'W) if the area of consideration is modified to include the area outside the District and the District's recharge rate is used inside the District and DWR's recharge rate is used outside the District.
6. Safe yield will not be met at the new location (4260'N and 400'W) if the area of consideration is modified to include the area outside the District and the DWR's recharge rate is used for the entire 2 mile circle.
7. Declining water level as recorded from nearby observation well strongly indicates that discharge has exceeded recharge since at least the year 2000.
8. Saturated thickness in the application area is approximately 100 feet and that the groundwater level in the area has been steadily declining.
9. The application does not comply with the District's Aquifer Management Program goal of managing the groundwater supplies within the District boundaries by balancing groundwater withdrawals with annual recharge to the aquifer to prevent groundwater mining.

Moved by Bob Seiler and seconded by David Bogner to recommend an exception to the "Area of Consideration" definition K.A.R. 5-22-1(e), and the application be recommended for approval subject to:

1. The Chief Engineer evaluating the application using the Safe Yield Rule and Regulation K.A.R. 5-22-7(a), and the area of consideration consisting of the areas both inside and outside of the District boundaries, and
2. Based on the Chief Engineer's evaluation, the application complies with the Safe Yield Rule and Regulation K.A.R. 5-22-7(a).

Alan Burghart then made a motion to modify the original motion to table making a decision on the motion until the January, 2017, District Board of Directors meeting to allow the District time to complete and review the District-wide safe yield and recharge study and modeling effort being conducted in conjunction with the Kansas Geological Survey. Mike McGinn seconded the motion. Modified motion carried with 5 Directors for, 1 Directors against, 0 Directors abstained, and 3 Directors absent.

Moved by Bob Seiler and seconded by Alan Burghart to recess regular meeting at 2:18 p.m. to conduct the budget hearing. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Director absent.

Following the Budget Hearing, Vin Kissick, Vice-President, reconvened the regular meeting at 2:20 p.m.

ITEM 7 -- OLD BUSINESS - NONE

ITEM 8 -- NEW BUSINESS

a) Kansas Water Congress 2016 Summer Conference – July 26 & 27.

Tim Boese, Manager, advised that the meeting will be in Wichita this year asked Board members to let him know who would be attending so that he could complete registrations for them.

b) Resolution ME 2016-1 Adoption of Land and Water Assessment Rates

Tim Boese, Manager, advised it was necessary to adopt a resolution for FY 2017 assessment rates. Board discussion followed.

Moved by Bob Seiler and seconded by Jeff Winter to adopt the resolution for \$0.05 per acre for land and \$1.00 per acre-foot for water. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Director absent.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Cameron Conant, DWR – Stafford, advised that DWR is working on enacting Senate Bill 337, including posting applications and orders on DWR's website and notification of nearby well owners on all new and change applications, except short-move change in point of diversion applications.

b) KANSAS WATER AUTHORITY

Vin Kissick reported the KWA met May 18 & 19, 2016, in Oakley. Vin advised that the KWA discussed funding options as outlined by the Blue Ribbon Funding Task draft proposal for the Kansas Water Vision action items, including new fees on irrigation water use and increased fees on municipal and industrial water use. Vin also advised that the next KWA meeting is scheduled for August 31 and September 1, 2016, in Emporia.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Bob Seiler reported that the Equus-Walnut RAC is having a meeting on July 20, 2016 in Newton to review and adopt the draft action items for the RAC's seven goals.

ITEM 10 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised the recharge for April was: Phase I – 103.3 acre-feet and Phase II – 492.64 acre-feet. Cheney Reservoir conservation pool is full and flood pool is 10.92% full, with no release currently. Flow at Little Ark on Hwy 50 is 413 cfs; Valley Center is at 668 cfs. District staff met with City of Wichita staff to review data and modeling on June 28, 2016 and additional meetings will occur to review data and modeling.

b) Administrative Field Tasks

Tim Boese, Manager, reported for the month of June. Staff worked on new/change applications, application reviews, and water permit consultations, and issued one waste of water violation in June.

Tim also reported that the new administrative assistant would be starting on July 25, 2016.

c) Monthly Information & Service Report

Tim Boese, Manager presented customer service requests for the months of May and June.

ITEM 11 -- ADDITIONS TO THE AGENDA - NONE

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

Tim Boese, Manager, reminded the Board that the August meeting was moved to August 23, 2016 and also advised that the public hearings for the IGUCA reviews and District boundaries expansion would hopefully be scheduled for sometime this fall by the Division of Water Resources.

Moved by Bob Seiler and seconded by Alan Burghart to adjourn the meeting. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

Vin Kissick, Vice-President, adjourned the Board meeting at 2:46 p.m.



Jeff Winter
Secretary
JW/TDB/db