

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

**Tuesday, November 10, 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 - None Pending**
- 7. OLD BUSINESS – None Pending**
- 8. NEW BUSINESS**
  - a) GMD2 Modeling Proposals
  - b) KDA/DWR Proposed Rules & Regulations
  - c) Legislative Monitoring Services
- 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 – 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**  
**NOVEMBER 10, 2015**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting November 10, 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	Joe Pajor, Member
Mike McGinn, Treasurer	Bob Seiler, Member
Jeff Winter, Secretary	Tom Adrian, Attorney
David Bogner, Member	Tim Boese, Manager
Alan Burghardt, Member	Steve Flaherty, Hydrogeologist
	Shelly Watkins, Administrative Assistant

*Directors absent: None*

Others attending the meeting or portions thereof were:

Earl Lewis – Topeka	Cameron Conant – Stafford DWR
Brownie Wilson – Lawrence	Gaisheng Liu - Lawrence
Jim Butler - Lawrence	

**ITEM 1**

**a) APPROVAL OF OCTOBER 13TH MINUTES**

Moved by Joe Pajor to approve the minutes as written. Vin Kissick seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

**ITEM 2 -- APPROVAL OF AGENDA**

Moved by Vin Kissick to approve the agenda as presented. David Stroberg seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

**ITEM 3 -- FINANCIAL REPORT**

Motion by Bob Seiler to approve the October financial report. David Stroberg seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

**ITEM 4 -- APPROVAL OF EXPENDITURES**

Moved by David Bogner to approve the November expenditures. Jeff Winter seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

**ITEM 5 -- PUBLIC FORUM- NONE**

**ITEM 6 -- APPEAL REVIEW – NONE**

**ITEM 7 – OLD BUSINESS - NONE**

**ITEM 8 -- NEW BUSINESS**

**a) GMD2 MODELING PROPOSALS**

Jim Butler, KGS, presented information concerning a modeling proposal for the District. It was the consensus of the Board to table the issue until the December meeting.

b) **KDA/DWR Proposed Rules & Regulations**

Tim Boese presented information and staff recommendations concerning KDA/DWR proposed rules and regulations. Motion by Bob Seiler to submit the following recommendations to KDA/DWR:

**LIMITING MOVEMENT OF A POINT OF DIVERSION**

- Limit moves of more than 300 feet in IGUCAs, LEMAs, and WCAs that were established to address declining aquifer conditions, unless the orders establishing the area specifically state that movements of greater than 300 feet are allowed.
- Limit moves of more than 300 feet in GMD requested areas.
- Limit moves of more than 300 feet in areas with long-term (greater than 10 years) declining water-level trends of 0.5 feet or greater average annual decline.

**CIVIL PENALTIES FOR EXCEEDING AUTHORIZED QUANTITY OF WATER**

- **First offense:** \$500 fine and 1X water penalty (The authorized quantity for the following year is decreased by the amount over-pumped).
- **Second offense:** \$1000 fine and 2X water penalty (The authorized quantity for the following year is decreased by double (2X) the amount over-pumped).
- **Third offense:** \$1000 per day fine and a one-year suspension of authorization to use water (Fine limited to a maximum of \$10,000).
- **Fourth offense:** Revoke water right or water right suspended for a 10-20 years.
- Violations will be recorded with Register of Deeds
- First offense stays on water right for 5 years and is removed if no additional over-pumping offenses occur within the 5 year period. If additional over-pumping offenses occur within the 5 year period, water right is subject to additional penalties.
- If additional offense(s) occur within the 5 year period, the violations stay on the water right for 10 years after the most recent offense.

**CIVIL FINES FOR NOT REPORTING WATER USE**

- Fine stays at \$250 and cease and desist pumping order issued until accurate water use report is submitted.

**AUTHORITY TO SEAL WATER METERS**

- The District supports regulatory authority for DWR and GMDs to seal water meters and establish an enforcement matrix if seal is broken.

Vin Kissick seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

c) **Legislative Monitoring Services**

Tim Boese reviewed a possible legislative monitoring service option for upcoming legislative session. Motion by Bob Seiler to not hire a legislative monitoring service for the upcoming legislative session. Joe Pajor seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**ITEM 9 – AGENCY & COMMITTEE REPORTS**

**a) DIVISION OF WATER RESOURCES**

Cameron Conant reported that the MDS (minimum desirable streamflow) administration for the Little Arkansas above Alta Mills was still in effect due to low river flow.

**b) KANSAS WATER AUTHORITY**

Vin Kissick advised that he met with Tracy Streeter, Director of the KWO, to get caught up on what's going on with the KWA board and his first meeting on the KWA will be in December.

**c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE**

Vin Kissick and Joe Pajor advised that the Equus-Walnut RAC first meeting was on October 27, 2015, and the committee prioritized goals and would have another meeting in December. Vin Kissick advised that he presented Bob Seiler's name to replace him on the RAC and that the committee agreed and the recommendation would be forwarded to the KWA RAC committee for approval.

**ITEM 10 – MANAGER'S REPORT**

**a) ASR Project Report**

Tim Boese, Manager, advised that there was no recharge in October due to low river flow in the Little Arkansas River and Phase II river diversion pumps are pulled for the winter. Cheney's conservation pool is now at 93% and is slowly declining.

**b) Administrative Field Tasks**

Tim Boese, Manager, reported for the month of September that District staff worked on 7 new/change application reviews; 9 safe yield requests, 21 water permit consultations. David Randolph, Hydrologic Technician, has completed around 600 water level measurements. Staff spent the month finishing assessment corrections and ownership updates. Additionally, computer server updates completed and NW quarter water meter requirement letters were sent out.

**c) Monthly Information & Service Report**

Tim Boese, Manager, advised the October report was in the Board booklet and reviewed information with the Board.

**ITEM 11 -- BOARD ROUND TABLE DISCUSSION – FRED SEILER, PRESIDENT**

Fred Seiler thanked everyone who can attend the Governor's Conference taking place in Manhattan on November 18 & 19. Joe Pajor, Bob Seiler, Vin Kissick, Mike McGinn, David Stroberg, and Tim Boese advised that they will be attending.

Tim advised he would be going to Topeka on Monday, November 16, 2015 for a Legislative committee hearing concerning the proposed modifications to the District's Safe Yield Regulation.

Moved by Bob Seiler 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.

Fred Seiler, President, adjourned the Board meeting at 4:04 p.m.

Respectfully submitted,



Jeff Winter  
Secretary  
JW/TDB/db