

**EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2
MAY 10, 2017**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting May 10, 2017, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Jeff Winter called the meeting to order at 9:30 a.m.

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

Jeff Winter, President	Vin Kissick, Vice President
Alan Burghart, Secretary	Mike McGinn, Treasurer
David Bogner, Member	Joe Pajor, Member
Dale Schmidt, Member	Bob Seiler, Member
David Stroberg, Member	Tom Adrian, Attorney
Tim Boese, Manager	Steve Flaherty, Hydrogeologist
Rebecca Wilson, Admin. Assistant	

Directors absent: None

Others attending the meeting or portions thereof were:

Jeff Lanterman, KDA - DWR Stafford
Brian Klager, USGS
Lisa French, Cheney Lake Watershed

ITEM 1 -- APPROVAL OF APRIL 18TH MEETING MINUTES

Moved by Bob Seiler and seconded by David Bogner to approve the Minutes. Motion carried with 7 Directors for, 0 Directors against, 1 Director abstained, and 1 Director absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by David Bogner and seconded by Alan Burghart to add Agenda Item 8(b) – City of Willowbrook Effluent Holding Cells. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

ITEM 3 -- FINANCIAL REPORT

April Financial Report

Moved by Vin Kissick and seconded by Bob Seiler to approve the April Financial Report. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by David Stroberg and seconded by David Bogner to approve the May expenditures. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 5 -- PUBLIC FORUM - NONE

ITEM 6 -- APPEAL REVIEW - NONE

ITEM 7 -- OLD BUSINESS

a) PROPOSED NICKERSON EFFLUENT HOLDING CELLS

Manager Tim Boese reviewed with the Board the letter and report that District staff recently sent to KDHE, the City of Nickerson, and EBH & Associates regarding the Proposed Nickerson Effluent Holding Cells expansion. Discussion by the Board followed. Tim advised the Board that he has not yet received a response to the letter from KDHE. Tim and Board member Joe Pajor plan to attend the Equus Walnut

Regional Advisory Committee meeting on May 11, 2017, at which time they will address the District's concerns with the committee regarding the Proposed Nickerson Effluent Holding Cells expansion. Tim will also send a copy of the letter and report to DWR to notify them of the District's concerns with the Proposed Nickerson Effluent Holding Cells expansion.

b) KGS GMD2 MODELING – PHASE II

Manager Tim Boese presented the KGS GMD2 Groundwater Model Proposal and reviewed the Task and Payment Schedule. Discussion by the Board followed. Tim suggested that the Board form a financial subcommittee of members to meet with Tim to prioritize the budget for this year and next year, and then provide recommendations to the Board at the meeting next month. Attorney Tom Adrian researched the rules of public notice for a subcommittee meeting, and stated that the only recommendation is that a "reasonable amount of time" is given for public notice. Moved by Joe Pajor and seconded by Bob Seiler to form a financial subcommittee consisting of the Board Officers. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 8 -- NEW BUSINESS

a) PROPOSED MODIFICATIONS TO K.A.R. 5-14-10 AND K.A.R. 5-14-12

Manager Tim Boese provided the Board with information regarding the proposed modifications to K.A.R. 5-14-10, civil penalties for violations other than exceeding the authorized quantity regulation, and K.A.R. 5-14-12, civil penalties for exceeding the authorized quantity regulation, and informed the Board of the hearing scheduled for May 22, 2017 at 10:00 a.m. Discussion by the Board followed. Jeff Lanterman provided additional information regarding the proposed modifications. Moved by Vin Kissick and seconded by David Bogner for Manager Tim Boese to testify at the hearing on May 22, 2017 to relay the District's request that expiration dates be put on all civil penalties issued by the Chief Engineer for over-pumping violations. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

b) PROPOSED CITY OF WILLOWBROOK EFFLUENT HOLDING CELLS

Manager Tim Boese presented information to the Board regarding the proposed modifications to the City of Willowbrook Effluent Treatment/Holding Cells. The proposed modifications would add a new treatment/holding cell and would incorporate a soil liner instead of the required synthetic membrane liner. Discussion by the Board followed. Moved by Bob Seiler and seconded by Alan Burghart for Manager Tim Boese to provide comments to KDHE based on his additional research. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Jeff Lanterman, DWR - Stafford, informed the Board that hearings are tentatively scheduled for July 27, 2017 to hear changes to K.A.R. 5-5-9 - the change in use made of water from irrigation to any other type of use regulation, K.A.R. 5-5-10 - the partial change in use made of water from irrigation to any other type of use regulation, and K.A.R. 5-5-16 - the additional well regulation. The proposed modification to all three regulations is regarding changing from the current consumptive use calculation methodology to a county specific consumptive use map. Jeff will provide Tim with a copy of the proposed regulations and proposed consumptive use map. Jeff stated that there will also be a hearing for the proposed modifications to K.A.R. 5-14-11 regarding Water Use Reporting penalties for late reports increasing to \$250 if received by July 1st, and increasing to \$1,000 if received after July 1st.

b) KANSAS WATER AUTHORITY

Board Vice President, Vin Kissick, informed the Board that the next KWA meeting will be May 17-18, 2017, in Garden City. The morning of May 17th will be a series of tours in Garden City. Vin stated that the KWA had a conference call for the Regional Advisory Committee (RAC) membership subcommittee to approve new members, during which they realized that some of the current terms will expire in September of 2017. The subcommittee decided that they will recommend that the terms expire in September of 2017, and then they will review membership applications. Vin reported that discussion ensued regarding the terms of each of the chair of the RACs being appointed for only two years. Vin stated that he would like to see each RAC have additional input into the recommendation of members and chair. Lisa French, Cheney Lake Watershed, gave the Board some background into the history of why the chair appointments are done in their current manner. Manager Tim Boese will plan to attend the KWA meeting on May 18th to discuss the Proposed City of Nickerson Effluent Holding Cells should the matter come up.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Bob Seiler, Member and Joe Pajor, Member, informed the Board that the next meeting will be tomorrow at 1:00 p.m. in El Dorado. Prior to the meeting, there will be a tour of the wetlands at 10:30 a.m. The meeting will be focused on action plan implementation.

ITEM 10 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised the Recharge for March was: 54.72 acre-feet recharged all in Phase II (54% into RB36). The Recharge for April was: Phase I – 7.59 acre-feet and Phase II – 217.6 acre-feet (62% into RB36). Cheney Reservoir: Conservation pool is 100% full and Flood pool is 36.49% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 148 CFS; Valley Center is at 373 CFS. The river is on its way down.

Discussion by the Board followed. District staff will research the area water levels and recharge operation conditions. Moved by Vin Kissick and seconded by Mike McGinn for Manager Tim Boese to write a letter to the City of Wichita and copy it to DWR stating that the District would like to continue to collaborate with the City of Wichita on the ASR and operating conditions. Motion carried with 8 Directors for, 0 Directors against, 1 Director abstained, and 0 Directors absent.

The letter from the City of Wichita to DWR regarding ASR permit condition modifications request has not yet been received by DWR or GMD2. District staff reviewed the 2015 ASR Accounting Report and found multiple errors with additional information/clarification needed. District staff sent a letter to the City and to the consultant. A response letter was received from the consultant on April 13, 2017. No further action has been taken. District staff is still planning to meet with the City and the consultant to review the current ASR accounting, modeling, and any possible revisions.

b) ADMINISTRATIVE FIELD TASKS

Tim Boese, Manager, reported that in April, staff reviewed 8 new/change applications, provided assistance for 9 applications, and processed a total of 58 files including VI cards, new applications, approvals, dismissals, and recommendation requests from DWR. Staff also completed 10 water permit consultations and completed 580 water level measurements. Additionally, staff continues working on a new GMD2 website.

Manager Tim Boese reported that he met with NRCS last week, as he is on their Technical Advisory Committee. One of the topics of the meeting was priority and ranking criteria for NRCS EQIP funding, and Quick Response Areas, which receive priority for funding. Tim stated that one question to consider is whether or not the Board

wants to continue with the current Quick Response Areas in place in the District, or to include additional areas. The consensus of the Board was for Manager Tim Boese to request NRCS add the District's current application processing suspension areas to the Quick response Areas.

Manager Tim Boese also provided the Board with an update to the monitoring well issue in the Eagle Drainage District. The District received a second bid for the repairs, which came in at \$14,000. David Randolph, District Hydrologic Technician, is meeting with a third company for another estimate. Tim mentioned that two of the index wells belong to the City of Wichita, and he questioned if Board member Joe Pajor would take the issue to the City of Wichita for their assistance, either financially or City staff assisting with the repairs. Board member Joe Pajor stated that he would indeed ask the City for their assistance. Manager Tim Boese will discuss options with the City.

Manager Tim Boese reported that the District will soon begin the annual sampling of the oil field areas. The District collaborates with KCC on this project, and typically the District does the sampling, and KCC pays the lab directly for the analysis. KCC is looking into paying the District directly for the lab fees and the District then paying the lab. Discussion by the Board regarding the District budget followed. It was the consensus of the Board that the proposed lab payment plan was acceptable. Manager Tim Boese also addressed the Arkansas River sampling of monitoring wells, for which the District has \$10,000 budgeted, but will probably exceed due to increased costs. To stay within the budgeted amount, the District would have to reduce the number of water quality analysis parameters. The Board recommended that Manager Tim Boese check with State of Kansas and City of Wichita contracts to see if the District could benefit from these contract prices. Moved by Bob Seiler and seconded by David Stroberg to authorize Manager Tim Boese to obtain additional quotes, move forward with the best quote, and take any line item budget overage out of the budget reserve line item to cover the additional costs. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstaining, and 0 Directors absent.

c) REVIEW OF TERM PERMIT APPLICATIONS

Tim Boese, Manager, advised that there were no term permit replacement/renewal applications reviewed by District staff in April.

d) MONTHLY INFORMATION & SERVICE REPORT

Tim Boese, Manager, presented customer service requests for the month of April.

ITEM 11 -- ADDITIONS TO THE AGENDA - NONE

ITEM 12 -- BOARD ROUND TABLE DISCUSSION – JEFF WINTER, PRESIDENT

Manager Tim Boese reported that neither he nor any Board member is able to attend the upcoming GMDA conference in Albuquerque. The Board discussed and approved by consensus purchasing District logo shirts for those new members and staff who did not have a shirt. Manager Tim Boese reported that all Board members will need to take the Oath of Office.

Moved by Mike McGinn 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. Jeff Winter, President, adjourned the Board meeting at 12:03 p.m.

Alan Burghart
Secretary
AB/TDB/rsw

